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AN EXTRA SESSION—WHEN?

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AN extra session of Congress in the beginning of a new Administration is not desirable in the public interest, unless a great necessity for it appears. The chief reason now urged for an extra session of Congress lies in the fact that we have a large revenue coming into the Treasury monthly, and each month considerably in excess of the payments authorized by existing appropriations. Is this surplus such as would justify an Administration in calling an extra session of Congress at the beginning of a term, when pressing administrative affairs must be considered?

It is well-known that the appropriations for the current fiscal year were very large, and the appropriations for the fiscal year beginning on the first of July next are also large. If these are expended,—and it is reasonable to suppose that most of them will be, with probable deficiencies in pensions, at least,—the apprehended surplus, as shown by various Treasury reports, and by public statements made from time to time in both houses of Congress, will be very much diminished. The appropriations for the current fiscal year are, in round numbers, say, only $20,000,000 less than the estimated revenues for the present fiscal year, and it is not probable that the actual revenues will exceed the estimated revenues. The appropriations made by the session of Congress just closed are, in round numbers, $25,000,000 less than the appropriations for the current year; so that it may be stated that on the first day of July, 1890, the excess of revenues over the expenditures for the next fiscal year

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will be, in round numbers, $45,000,000, as against $20,000,000 for the current fiscal year. It is not probable that the revenues for the next fiscal year will be in excess of the estimates.

Now, of this $45,000,000 surplus, nearly one-half will have accumulated by January 1, 1890, so that the problem for the Secretary of the Treasury to solve, in case Congress should not be called in extra session, will be how he can dispose of this $23,000,000 of excess. It can easily be done either by the purchase of four-and-a-halfs, in anticipation of their early maturity in 1891, or by the purchase of fours, maturing in 1907; so that it may be stated that, so far as the current revenues are concerned, from this time up to and including the fiscal year 1889–90, it will not be a difficult thing to purchase bonds covering this entire surplus.

The existing surplus, which has been accumulating for some years, now lying in the Treasury or in the National banks, would not be affected by legislation, whether now or at any future time, as any re-adjustment of taxation must take place with reference to current revenues and current expenditures, without considering these accumulations. So, in any event, the overlapping surplus of prior years should be, and doubtless will be, used in the purchase of bonds, as there are no pressing extraordinary expenditures provided for (or likely to be) that would absorb it.

If an extra session should be called in the near future, it would be impossible to mature and perfect a tariff measure during such extra session, and the only thing possible would be, by a joint resolution, to repeal, for example, the tobacco-tax, which would relieve the Treasury of, say, $30,000,000 per annum. This, however, could only be done with the consent of both political parties, as any revenue measure introduced into the House would be subject, under its rules, to amendment without limitation; and when such measure should reach the Senate, it would, in that body, also be subject to amendment without limitation. Hence a small portion of either house in either party could, if they were disposed, compel a full consideration of the whole question of the tariff and internal revenue; and it is not probable that the House, being so nearly divided, and the Republican party now having only a small majority, could pass a revenue measure at an extra session without a prolonged debate upon the general question and without the free exercise of the power of amendment.

In this view, it would seem to be wiser and better that the extra

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session of Congress should be postponed until the middle or last of October, when Congress could convene and remain in continuous session and take up seriously and earnestly the whole question of the reduction of taxation by means of a reduction of internal revenue and a revision of the tariff.

An extra session in October would give time for the organization of the House and the committees of the House, and thus put in course of early preparation these revenue measures, which could be considered and completed, under these conditions, by April of next year. It seems very doubtful whether any progress could be made by calling an extra session during the present spring, and taking the risk of a long session during the summer, without any practical result. This debate may be fairly anticipated from the fact that, notwithstanding the general verdict of the people at the last election, the Democratic party still adheres with firmness to its original proclamation that the tariff should be revised upon a revenue basis, and not upon the idea that American industries shall be cared for in the preparation and revision of the schedules. The business interests need not be alarmed at this postponement, as it may be taken for granted that the policy of President Harrison will be, not to hoard money in the Treasury, but to utilize the surplus, as far as it can be utilized, in the purchase of the interest-bearing debt of the United States, first for the bonds presently maturing, and, secondly, for the bonds due in 1907; so that the situation, as respects our revenue and the money in the Treasury, under this policy, will not be materially changed, whether Congress is convened in the early spring or late autumn.

The accompanying table (pp. 400–401) is an accurate statement of the appropriations for the current fiscal year and the next year. A critical examination of this table and of these appropriations for the two years will disclose the fact that there is no probability of any future reduction of the appropriations for the various purposes indicated. For example, the appropriations for the current year for pensions were, in round numbers, $81,000,000; but just before the adjournment of the last session a deficiency of $8,000,000 was asked and appropriated for pensions. The appropriations for the next fiscal year for the like purpose were $81,000,000. It is not improbable that the deficiency for the next year will be in excess of the $8,000,000 appropriated for this year. The appropriations for the Post-Office Department, owing to the rapid growth and development of our country, are constantly increas-

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Chronological history of appropriation bills, second session of the Fiftieth Congress; estimates and appropriations for the fiscal year 1889-'90; *and appropriations for fiscal year* 1888-'89.

[Prepared by the clerks to the Committees on Appropriations of the Senate and House of Representatives.]

Title.	Estimates, 1890.	Reported to the House.		Passed the House.		Reported to the Senate		Passed the Senate.		Law, 1889-'90.	Law, 1888-'89.
		Date.	Amount.	Date.	Amount.	Date.	Amount.	Date.	Amount.	Amount.	Amount.
Agricultural	$1,686,160.00	1889. Feb. 2	$1,631,010.00	1889. Feb. 8	$1,631,010.00	1889. Feb. 21	$1,699,470.00	1889. Feb. 22	$1,701,470.00	$1,669,770.00	$1,716,010.00
Army	24,970,658.24	Jan. 25	24,466,615.73	Feb. 8	23,978,115.73	Feb. 22	24,057,615.73	Feb. 26	24,320,115.73	24,300,115.73	24,471,300.00
Diplomatic and Consular	1,947,565.00	1888. Dec. 20	1,427,025.00	Jan. 12	1,427,025.00	Jan. 25	2,050,325.00	Jan. 31	2,080,325.00	1,980,025.00	1,428,465.00
District of Columbia *a*	5,949,535.61	Dec. 6	4,927,193.61	1888. Dec. 10	4,943,193.61	Jan. 22	5,981,806.91	Jan. 25	6,296,139.91	5,687,406.91	5,046,410.32
Fortification	5,552,000.00	1889. Jan. 2	890,000.00	1889. Jan. 19	915,320.00	Feb. 8	1,136,094.00	Feb. 9	1,336,094.00	1,205,594.00	3,972,000.00
Indian	5,475,410.50	Feb. 13	5,637,893.05	Feb. 27	7,878,361.07	Mar. 1	7,852,571.35	Mar. 2	8,027,524.78	8,035,724.78	8,263,700.79
Legislative, etc	21,087,485.25	1888. Dec. 14	20,802,245.81	1888. Dec. 18	20,803,145.81	Feb. 4	20,864,405.81	Feb. 8	20,885,125.81	20,840,535.81	20,758,178.07
Military Academy	1,026,776.69	Dec. 18	904,266.69	1889. Jan. 12	904,266.69	Jan. 25	902,766.69	Jan. 25	902,766.69	902,766.69	315,043.81
Navy	26,767,277.74	1889. Jan. 21	19,909,010.27	Feb. 2	20,009,010.27	Feb. 8	22,855,574,98	Feb. 12	23,080,574.98	21,692,510.27	19,942,835.35
Pension	81,750,700.00	1888. Dec. 7	81,757,500.00	1888. Dec. 10	81,740,000.00	Jan. 25	81,758,200.00	Feb. 8	81,758,200.00	81,758,200.00	81,758,700.00
Post-Office *b*	66,812,073.02	1889. Feb. 2	66,595,344.28	1889. Feb. 21	66,595,344.28	Feb. 27	66,605,344.28	Feb. 29	66,700,344.28	66,605,341.28	60,860,233.74
River-and-Harbor	*c*5,677,000.00	1888. Dec. 12	11,906,850.00	.....	.....	.....	.....	.....	.....	.....	22,397,616.90
Sundry Civil	28,574,448.46	1889. Jan. 8	22,852,996.47	Jan. 29	23,470,830.65	Feb. 18	26,137,881.65	Feb. 22	26,923,981.65	25,277,341.65	26,320,804.84
Total	277,285,090.51	.....	263,707,950.91	.....	254,295,623.11	.....	261,902,056.40	.....	264,012,662.83	259,955,335.12	277,251,288.82

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Chronological history of appropriation bills, etc.—Continued.

Title.	Estimates, 1889.	Reported to the House.		Passed the House.		Reported to the Senate.		Passed the Senate.		Law 1889-'90	Law 1888-'89.
		Date.	Amount.	Date.	Amount.	Date.	Amount.	Date.	Amount.	Amount.	Amount.
Deficiency, 1889 and prior years	a20,000,000.00	Feb. 12	14,568,281.77	Feb. 26	14,728,954.31	Mar. 1	17,670,290.24	Mar. 1	18,659,652.84	16,423,360.60	e19,563,383.26
Total	297,285,090.51	.....	278,276,232.68	.....	269,024,577,42	.....	279,572,346.64	.....	282,672,315,67	276,378,695.72	296,814,682.08
Miscellaneous	d 6,500,000,00	.....	.....	.....	.....	.....	.....	.....	.....	d 5,500,000.00	10,170,862.55
Total regular annual appropriations	303,785,090.51	.....	.....	.....	.....	.....	.....	.....	.....	281,878,695.72	306,985,544.63
Permanent annual appropriations	108,691,055.95	.....	.....	.....	.....	.....	.....	.....	.....	108,691,055,95	115,640,798.90
Grand total, regular and permanent annual appropriations	412,476,146.46	.....	.....	.....	.....	.....	.....	.....	.....	390,569,751.67	422,626,343.53

Amount of estimated revenues for fiscal year 1890	$377,000,000.00
Amount of estimated postal revenues for fiscal year 1890	62,508,658.12
Total estimated revenues for fiscal year 1890	439,508,658.12

a Fifty per cent. of the amounts appropriated for the District of Columbia is paid by the United States. The amount for the water department (estimated for 1890 at $237,125.64) is paid out of the revenue of that department.

b The appropriations for the postal service are paid out of the postal revenues (estimated for 1890 at $62,508,658.12), and any deficiency in the revenue is provided for out of the Treasury of the United States.

c This is the estimate submitted for rivers and harbors for 1890. "The amount that can be profitably expended," as reported by the Chief of Engineers, is $32,012,250.

d This sum is approximated.

e This is the aggregate amount of the four deficiency acts passed during the first session of the Fiftieth Congress.

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ing, and for the years that are to follow they will probably be in excess of the appropriations for this year and the next fiscal year.

The appropriations of this year for the navy are $19,000,000; for the next year $21,000,000; but it is quite probable that a deficiency in the naval appropriations for the next year will be required to complete the naval vessels already under contract, and it is certain that the policy of the Republican party will be to increase considerably the appropriations for the navy next year, in order that we may have, at as early a date as possible, an effective navy. So it is probable that the appropriations for fortifications, etc., will be considerably increased next year. Therefore it may be said that our National expenditures in the future are likely to increase year by year rather than to diminish. It is certain that next year a River-and-Harbor Bill of considerable magnitude must be passed, because during this year no River-and-Harbor Bill passed. Had the bill passed both houses as reported by the Committee on Rivers and Harbors in the House of Representatives, the surplus for the next fiscal year would have been reduced by $10,000,000 at least, bringing it down to less than $40,000,000.

These large sums which I have indicated constitute the great items where deficiencies may be expected and increased appropriations required in the future. It is probable that the smaller items included in these general appropriation bills may also be increased to the extent of $2,000,000 or $3,000,000.

The contest in the two houses on the reduction of revenues and the revision of the tariff in the Fifty-first Congress will be, as it was in the Fiftieth, a contest, on the one hand, for the reduction of revenues, and, with that reduction, a scaling-down of the tariff to a revenue basis, and, on the other, a reduction by such changes and modifications of the tariff as will reduce the revenues and, at the same time, defend and protect our own industries as against the sharp competition of similar industries in other countries. Under the Constitution, of course, any tariff bill or revenue bill must originate in the House of Representatives, and, whilst it may not be possible to predict with exactness the line that will be pursued by the Republican majority in that body, it may be fairly inferred that, in a general way, with probable modification of details, the House of Representatives will follow the plan and method of, as also the principle involved in, the Senate bill which passed the Senate during the last session of the Fiftieth Congress.

WILLIAM B. ALLISON.

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PROFESSOR HUXLEY AND AGNOSTICISM.

BY ROBERT G. INGERSOLL.

In the February number of the *Nineteenth Century* is an article by Professor Huxley, entitled "Agnosticism." It seems that a church congress was held at Manchester in October, 1888, and that the Principal of King's College brought the topic of Agnosticism before the assembly and made the following statement:

"But if this be so, for a man to urge as an escape from this article of belief that he has no means of a scientific knowledge of an unseen world, or of the future, is irrelevant. His difference from Christians lies, not in the fact that he has no knowledge of these things, but that he does not believe the authority on which they are stated. He may prefer to call himself an Agnostic, but his real name is an older one—he is an infidel; that is to say, an unbeliever. The word infidel, perhaps, carries an unpleasant significance. Perhaps it is right that it should. It is, and it ought to be, an unpleasant thing for a man to have to say plainly that he does not believe in Jesus Christ."

Let us examine this statement, putting it in language that is easily understood; and for that purpose we will divide it into several paragraphs.

First.—"For a man to urge that he has no means of a scientific knowledge of the unseen world, or of the future, is irrelevant."

Is there any other knowledge than a scientific knowledge? Are there several kinds of knowing? Is there such a thing as scientific ignorance? If a man says, "I know nothing of the unseen world because I have no knowledge upon that subject," is the fact that he has no knowledge absolutely irrelevant? Will the Principal of King's College say that having no knowledge is the reason he knows? When asked to give your opinion upon any subject, can it be said that your ignorance of that

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subject is irrelevant? If this be true, then your knowledge of the subject is also irrelevant.

Is it possible to put in ordinary English a more perfect absurdity? How can a man obtain any knowledge of the unseen world? He certainly cannot obtain it through the medium of the senses. It is not a world that he can visit. He cannot stand upon its shores, nor can he view them from the ocean of imagination. The Principal of King's College, however, insists that these impossibilities are irrelevant.

No person has come back from the unseen world. No authentic message has been delivered. Through all the centuries, not one whisper has broken the silence that lies beyond the grave. Countless millions have sought for some evidence, have listened in vain for some word.

It is most cheerfully admitted that all this does not prove the non-existence of another world—all this does not demonstrate that death ends all. But it is the justification of the Agnostic, who candidly says, "I do not know."

Second.—The Principal of King's College states that the difference between an Agnostic and a Christian "lies, not in the fact that he has no knowledge of these things, but that he does not believe the authority on which they are stated."

Is this a difference in knowledge, or a difference in belief—that is to say, a difference in credulity?

The Christian believes the Mosaic account. He reverently hears and admits the truth of all that he finds within the scriptures. Is this knowledge? How is it possible to know whether the reputed authors of the books of the Old Testament were the real ones? The witnesses are dead. The lips that could testify are dust. Between these shores roll the waves of many centuries. Who knows whether such a man as Moses existed or not? Who knows the author of Kings and Chronicles? By what testimony can we substantiate the authenticity of the prophets, or of the prophecies, or of the fulfilments? Is there any difference between the knowledge of the Christian and of the Agnostic? Does the Principal of King's College know any more as to the truth of the Old Testament than the man who modestly calls for evidence? Has not a mistake been made? Is not the difference one of belief instead of knowledge? And is not this difference founded on the difference in credulity? Would not an infinitely wise and

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good being—where belief is a condition to salvation—supply the evidence? Certainly the Creator of man—if such exist—knows the exact nature of the human mind—knows the evidence necessary to convince; and, consequently, such a being would act in accordance with such conditions.

There is a relation between evidence and belief. The mind is so constituted that certain things, being in accordance with its nature, are regarded as reasonable, as probable.

There is also this fact that must not be overlooked: that is, that just in the proportion that the brain is developed it requires more evidence, and becomes less and less credulous. Ignorance and credulity go hand in hand. Intelligence understands something of the law of average, has an idea of probability. It is not swayed by prejudice, neither is it driven to extremes by suspicion. It takes into consideration personal motives. It examines the character of the witnesses, makes allowance for the ignorance of the time,—for enthusiasm, for fear,—and comes to its conclusion without fear and without passion.

What knowledge has the Christian of another world? The senses of the Christian are the same as those of the Agnostic. He hears, sees, and feels substantially the same. His vision is limited. He sees no other shore and hears nothing from another world.

Knowledge is something that can be imparted. It has a foundation in fact. It comes within the domain of the senses. It can be told, described, analyzed, and, in addition to all this, it can be classified. Whenever a fact becomes the property of one mind, it can become the property of the intellectual world. There are words in which the knowledge can be conveyed.

The Christian is not a supernatural person, filled with supernatural truths. He is a natural person, and all that he knows of value can be naturally imparted. It is within his power to give all that he has to the Agnostic.

The Principal of King's College is mistaken when he says that the difference between the Agnostic and the Christian does not lie in the fact that the Agnostic has no knowledge, "but that he does not believe the authority on which these things are stated."

The real difference is this: the Christian says that he has knowledge; the Agnostic admits that he has none; and yet the Christian accuses the Agnostic of arrogance, and asks him how

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he has the impudence to admit the limitations of his mind. To the Agnostic every fact is a torch, and by this light, and this light only, he walks.

It is also true that the Agnostic does not believe the authority relied on by the Christian. What is the authority of the Christian? Thousands of years ago it is supposed that certain men, or, rather, uncertain men, wrote certain things. It is alleged by the Christian that these men were divinely inspired, and that the words of these men are to be taken as absolutely true, no matter whether or not they are verified by modern discovery and demonstration.

How can we know that any human being was divinely inspired? There has been no personal revelation to us to the effect that certain people were inspired—it is only claimed that the revelation was to them. For this we have only their word, and about that there is this difficulty: we know nothing of them, and, consequently, cannot, if we desire, rely upon their character for truth. This evidence is not simply hearsay—it is far weaker than that. We have only been told that they said these things; we do not know whether the persons claiming to be inspired wrote these things or not; neither are we certain that such persons ever existed. We know now that the greatest men with whom we are acquainted are often mistaken about the simplest matters. We also know that men saying something like the same things, in other countries and in ancient days, must have been impostors. The Christian has no confidence in the words of Mohammed; the Mohammedan cares nothing about the declarations of Buddha; and the Agnostic gives to the words of the Christian the value only of the truth that is in them. He knows that these sayings get neither truth nor worth from the person who uttered them. He knows that the sayings themselves get their entire value from the truth they express. So that the real difference between the Christian and the Agnostic does not lie in their knowledge,—for neither of them has any knowledge on this subject,—but the difference does lie in credulity, and in nothing else. The Agnostic does not rely on the authority of Moses and the prophets. He finds that they were mistaken in most matters capable of demonstration. He finds that their mistakes multiply in the proportion that human knowledge increases. He is satisfied that the religion of the ancient Jews is, in most things, as ignorant and cruel as other re-

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ligions of the ancient world. He concludes that the efforts, in all ages, to answer the questions of origin and destiny, and to account for the phenomena of life, have all been substantial failures.

In the presence of demonstration there is no opportunity for the exercise of faith. Truth does not appeal to credulity—it appeals to evidence, to established facts, to the constitution of the mind. It endeavors to harmonize the new fact with all that we know, and to bring it within the circumference of human experience.

The church has never cultivated investigation. It has never said: Let him who has a mind to think, think; but its cry from the first until now has been: Let him who has ears to hear, hear.

The pulpit does not appeal to the reason of the pew; it speaks by authority and it commands the pew to believe, and it not only commands, but it threatens.

The Agnostic knows that the testimony of man is not sufficient to establish what is known as the miraculous. We would not believe to-day the testimony of millions to the effect that the dead had been raised. The church itself would be the first to attack such testimony. If we cannot believe those whom we know, why should we believe witnesses who have been dead thousands of years, and about whom we know nothing?

Third.—The Principal of King's College, growing somewhat severe, declares that "he may prefer to call himself an Agnostic, but his real name is an older one—he is an infidel; that is to say, an unbeliever."

This is spoken in a kind of holy scorn. According to this gentleman, an unbeliever is, to a certain extent, a disreputable person.

In this sense, what is an unbeliever? He is one whose mind is so constituted that what the Christian calls evidence is not satisfactory to him. Is a person accountable for the constitution of his mind, for the formation of his brain? Is any human being responsible for the weight that evidence has upon him? Can he believe without evidence? Is the weight of evidence a question of choice? Is there such a thing as honestly weighing testimony? Is the result of such weighing necessary? Does it involve moral responsibility? If the Mosaic account does not convince a man that it is true, is he a wretch because he is candid enough to tell the truth? Can he preserve his manhood only by making a false statement?

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The Mohammedan would call the Principal of King's College an unbeliever,—so would the tribes of Central Africa,—and he would return the compliment, and all would be equally justified. Has the Principal of King's College any knowledge that he keeps from the rest of the world? Has he the confidence of the Infinite? Is there anything praiseworthy in believing where the evidence is sufficient, or is one to be praised for believing only where the evidence is insufficient? Is a man to be blamed for not agreeing with his fellow-citizen? Were the unbelievers in the pagan world better or worse than their neighbors? It is probably true that some of the greatest Greeks believed in the gods of that nation, and it is equally true that some of the greatest denied their existence. If credulity is a virtue now, it must have been in the days of Athens. If to believe without evidence entitles one to eternal reward in this century, certainly the same must have been true in the days of the Pharaohs.

An infidel is one who does not believe in the prevailing religion. We now admit that the infidels of Greece and Rome were right. The gods that they refused to believe in are dead. Their thrones are empty, and long ago the sceptres dropped from their nerveless hands. To-day the world honors the men who denied and derided these gods.

Fourth.—The Principal of King's College ventures to suggest that "the word infidel, perhaps, carries an unpleasant significance; perhaps it is right that it should."

A few years ago the word infidel did carry "an unpleasant significance." A few years ago its significance was so unpleasant that the man to whom the word was applied found himself in prison or at the stake. In particularly kind communities he was put in the stocks, pelted with offal, derided by hypocrites, scorned by ignorance, jeered by cowardice, and all the priests passed by on the other side.

There was a time when Episcopalians were regarded as infidels; when a true Catholic looked upon a follower of Henry VIII. as an infidel, as an unbeliever; when a true Catholic held in detestation the man who preferred a murderer and adulterer—a man who swapped religions for the sake of exchanging wives—to the Pope, the head of the universal church.

It is easy enough to conceive of an honest man denying the

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claims of a church based on the caprice of an English king. The word infidel "carries an unpleasant significance" only where the Christians are exceedingly ignorant, intolerant, bigoted, cruel, and unmannerly.

The real gentleman gives to others the rights that he claims for himself. The civilized man rises far above the bigotry of one who has been "born again." Good breeding is far gentler than "universal love."

It is natural for the church to hate an unbeliever—natural for the pulpit to despise one who refuses to subscribe, who refuses to give. It is a question of revenue instead of religion. The Episcopal Church has the instinct of self-preservation. It uses its power, its influence, to compel contribution. It forgives the giver.

Fifth.—The Principal of King's College insists that "it is, and it ought to be, an unpleasant thing for a man to have to say plainly that he does not believe in Jesus Christ."

Should it be an unpleasant thing for a man to say plainly what he believes? Can this be unpleasant except in an uncivilized community—a community in which an uncivilized church has authority?

Why should not a man be as free to say that he does not believe as to say that he does believe? Perhaps the real question is whether all men have an equal right to express their opinions. Is it the duty of the minority to keep silent? Are majorities always right? If the minority had never spoken, what to-day would have been the condition of this world? Are the majority the pioneers of progress, or does the pioneer, as a rule, walk alone? Is it his duty to close his lips? Must the inventor allow his inventions to die in the brain? Must the discoverer of new truths make of his mind a tomb? Is man under any obligation to his fellows? Was the Episcopal religion always in the majority? Was it at any time in the history of the world an unpleasant thing to be called a Protestant? Did the word Protestant "carry an unpleasant significance"? Was it "perhaps right that it should"? Was Luther a misfortune to the human race?

If a community is thoroughly civilized, why should it be an unpleasant thing for a man to express his belief in respectful language? If the argument is against him, it might be unpleasant; but why should simple numbers be the foundation

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of unpleasantness? If the majority have the facts,—if they have the argument,—why should they fear the mistakes of the minority? Does any theologian hate the man he can answer?

It is claimed by the Episcopal Church that Christ was in fact God; and it is further claimed that the New Testament is an inspired account of what that being and his disciples did and said. Is there any obligation resting on any human being to believe this account? Is it within the power of man to determine the influence that testimony shall have upon his mind?

If one denies the existence of devils, does he, for that reason, cease to believe in Jesus Christ? Is it not possible to imagine that a great and tender soul living in Palestine nearly twenty centuries ago was misunderstood? Is it not within the realm of the possible that his words have been inaccurately reported? Is it not within the range of the probable that legend and rumor and ignorance and zeal have deformed his life and belittled his character?

If the man Christ lived and taught and suffered, if he was, in reality, great and noble, who is his friend—the one who attributes to him feats of jugglery, or he who maintains that these stories were invented by zealous ignorance and believed by enthusiastic credulity?

If he claimed to have wrought miracles, he must have been either dishonest or insane; consequently, he who denies miracles does what little he can to rescue the reputation of a great and splendid man.

The Agnostic accepts the good he did, the truth he said, and rejects only that which, according to his judgment, is inconsistent with truth and goodness.

The Principal of King's College evidently believes in the necessity of belief. He puts conviction or creed or credulity in place of character. According to his idea, it is impossible to win the approbation of God by intelligent investigation and by the expression of honest conclusions. He imagines that the Infinite is delighted with credulity, with belief without evidence, faith without question.

Man has but little reason, at best; but this little should be used. No matter how small the taper is, how feeble the ray of light it casts, it is better than darkness, and no man should be rewarded for extinguishing the light he has.

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We know now, if we know anything, that man in this, the nineteenth, century, is better capable of judging as to the happening of any event, than he ever was before. We know that the standard is higher to-day—we know that the intellectual light is greater—we know that the human mind is better equipped to deal with all questions of human interest, than at any other time within the known history of the human race.

It will not do to say that "our Lord and his apostles must at least be regarded as honest men." Let this be admitted, and what does it prove? Honesty is not enough. Intelligence and honesty must go hand in hand. We may admit now that "our Lord and his apostles" were perfectly honest men; yet it does not follow that we have a truthful account of what they said and of what they did. It is not pretended that "our Lord" wrote anything, and it is not known that one of the apostles ever wrote a word. Consequently, the most that we can say is that somebody has written something about "our Lord and his apostles." Whether that somebody knew or did not know is unknown to us. As to whether what is written is true or false, we must judge by that which is written.

First of all, is it probable? is it within the experience of mankind? We should judge of the gospels as we judge of other histories, of other biographies. We know that many biographies written by perfectly honest men are not correct. We know, if we know anything, that honest men can be mistaken, and it is not necessary to believe everything that a man writes because we believe he was honest. Dishonest men may write the truth.

At last the standard or criterion is for each man to judge according to what he believes to be human experience. We are satisfied that nothing more wonderful has happened than is now happening. We believe that the present is as wonderful as the past, and just as miraculous as the future. If we are to believe in the truth of the Old Testament, the word evidence loses its meaning; there ceases to be any standard of probability, and the mind simply accepts or denies without reason.

We are told that certain miracles were performed for the purpose of attesting the mission and character of Christ. How can these miracles be verified? The miracles of the middle ages rest upon substantially the same evidence. The same may be said of the wonders of all countries and of all ages. How is it a virtue

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to deny the miracles of Mohammed and to believe those attributed to Christ?

You may say of St. Augustine that what he said was true or false. We know that much of it was false; and yet we are not justified in saying that he was dishonest. Thousands of errors have been propagated by honest men. As a rule, mistakes get their wings from honest people. The testimony of a witness to the happening of the impossible gets no weight from the honesty of the witness. The fact that falsehoods are in the New Testament does not tend to prove that the writers were knowingly untruthful. No man can be honest enough to substantiate, to the satisfaction of reasonable men, the happening of a miracle.

For this reason it makes not the slightest difference whether the writers of the New Testament were honest or not. Their character is not involved. Whenever a man rises above his contemporaries, whenever he excites the wonder of his fellows, his biographers always endeavor to bridge over the chasm between the people and this man, and for that purpose attribute to him the qualities which in the eyes of the multitude are desirable.

Miracles are demanded by savages, and, consequently, the savage biographer attributes miracles to his hero. What would we think now of a man who, in writing the life of Charles Darwin, should attribute to him supernatural powers? What would we say of an admirer of Humboldt who should claim that the great German could cast out devils? We would feel that Darwin and Humboldt had been belittled; that the biographies were written for children and by men who had not outgrown the nursery.

If the reputation of "our Lord" is to be preserved—if he is to stand with the great and splendid of the earth—if he is to continue a constellation in the intellectual heavens, all claim to the miraculous, to the supernatural, must be abandoned.

No one can over-estimate the evils that have been endured by the human race by reason of a departure from the standard of the natural. The world has been governed by jugglery, by sleight of hand. Miracles, wonders, tricks have been regarded as of far greater importance than the steady, the sublime and unbroken march of cause and effect. The improbable has been established by the impossible. Falsehood has furnished the foundation for faith.

Is the human body at present the residence of evil spirits, or have these imps of darkness perished from the world? Where

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are they? If the New Testament establishes anything, it is the existence of innumerable devils, and that these satanic beings absolutely took possession of the human mind. Is this true? Can anything be more absurd? Does any intellectual man who has examined the question believe that depraved demons live in the bodies of men? Do they occupy space? Do they live upon some kind of food? Of what shape are they? Could they be classified by a naturalist? Do they run, or float, or fly? If to deny the existence of these supposed beings is to be an infidel, how can the word infidel "carry an unpleasant significance"?

Of course it is the business of the principals of most colleges, as well as of bishops, cardinals, popes, priests, and clergymen to insist upon the existence of evil spirits. All these gentlemen are employed to counteract the influence of these supposed demons. Why should they take the bread out of their own mouths? Is it to be expected that they will unfrock themselves?

The church, like any other corporation, has the instinct of self-preservation. It will defend itself; it will fight as long as it has the power to change a hand into a fist.

The Agnostic takes the ground that human experience is the basis of morality. Consequently, it is of no importance who wrote the gospels, or who vouched or vouches for the genuineness of the miracles. In his scheme of life these things are utterly unimportant. He is satisfied that "the miraculous" is the impossible. He knows that the witnesses were wholly incapable of examining the questions involved, that credulity had possession of their minds, that "the miraculous" was expected, that it was their daily food.

All this is very clearly and delightfully stated by Professor Huxley, and it hardly seems possible that any intelligent man can read what he says without feeling that the foundation of all superstition has been weakened. The article is as remarkable for its candor as for its clearness. Nothing is avoided—everything is met. No excuses are given. He has left all apologies for the other side. When you have finished what Professor Huxley has written, you feel that your mind has been in actual contact with the mind of another, that nothing has been concealed; and not only so, but you feel that this mind is not only willing, but anxious, to know the actual truth.

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To me, the highest uses of philosophy are, first, to free the mind of fear, and, second, to avert all the evil that can be averted, through intelligence—that is to say, through a knowledge of the conditions of well-being.

We are satisfied that the absolute is beyond our vision, beneath our touch, above our reach. We are now convinced that we can deal only with phenomena, with relations, with appearances, with things that impress the senses, that can be reached by reason, by the exercise of our faculties. We are satisfied that the reasonable road is "the straight road," the only "sacred way."

Of course there is faith in the world—faith in this world—and always will be, unless superstition succeeds in every land. But the faith of the wise man is based upon facts. His faith is a reasonable conclusion drawn from the known. He has faith in the progress of the race, in the triumph of intelligence, in the coming sovereignty of science. He has faith in the development of the brain, in the gradual enlightenment of the mind. And so he works for the accomplishment of great ends, having faith in the final victory of the race.

He has honesty enough to say that he does not know. He perceives and admits that the mind has limitations. He doubts the so-called wisdom of the past. He looks for evidence, and he endeavors to keep his mind free from prejudice. He believes in the manly virtues, in the judicial spirit, and in his obligation to tell his honest thoughts.

It is useless to talk about a destruction of consolations. That which is suspected to be untrue loses its power to console. A man should be brave enough to bear the truth.

Professor Huxley has stated with great clearness the attitude of the Agnostic. It seems that he is somewhat severe on the Positive Philosophy. While it is hard to see the propriety of worshipping Humanity as a being, it is easy to understand the splendid dream of Auguste Comte. Is the human race worthy to be worshipped by itself—that is to say, should the individual worship himself? Certainly the religion of humanity is better than the religion of the inhuman. The Positive Philosophy is better far than Catholicism. It does not fill the heavens with monsters, nor the future with pain.

It may be said that Luther and Comte endeavored to re-form the Catholic Church. Both were mistaken, because the only

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reformation of which that church is capable is destruction. It is a mass of superstition.

The mission of Positivism is, in the language of its founder, "to generalize science and to systematize sociality." It seems to me that Comte stated with great force and with absolute truth the three phases of intellectual evolution or progress.

First.—"In the supernatural phase the mind seeks causes—aspires to know the essence of things, and the How and Why of their operation. In this phase, all facts are regarded as the productions of supernatural agents, and unusual phenomena are interpreted as the signs of the pleasure or displeasure of some god."

Here at this point is the orthodox world of to-day. The church still imagines that phenomena should be interpreted as the signs of the pleasure or displeasure of God. Nearly every history is deformed with this childish and barbaric view.

Second.—The next phase or modification, according to Comte, is the metaphysical. "The supernatural agents are dispensed with, and in their places we find abstract forces or entities supposed to inhere in substances and capable of engendering phenomena."

In this phase people talk about laws and principles as though laws and principles were forces capable of producing phenomena.

Third.—"The last stage is the Positive. The mind, convinced of the futility of all inquiry into causes and essences, restricts itself to the observation and classification of phenomena, and to the discovery of the invariable relations of succession and similitude—in a word, to the discovery of the relations of phenomena."

Why is not the Positive stage the point reached by the Agnostic? He has ceased to inquire into the origin of things. He has perceived the limitations of the mind. He is thoroughly convinced of the uselessness, and futility, and absurdity of theological methods, and restricts himself to the examination of phenomena, to their relations, to their effects, and endeavors to find in the complexity of things the true conditions of human happiness.

Although I am not a believer in the philosophy of Auguste Comte, I cannot shut my eyes to the value of his thought; neither is it possible for me not to applaud his candor, his intelligence, and the courage it required even to attempt to lay the foundation of the Positive Philosophy.

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Professor Huxley and Frederic Harrison are splendid soldiers in the army of progress. They have attacked with signal success the sacred and solemn stupidities of superstition. Both have appealed to that which is highest and noblest in man. Both have been the destroyers of prejudice. Both have shed light, and both have won great victories on the fields of intellectual conflict. They cannot afford to waste time in attacking each other.

After all, the Agnostic and the Positivist have the same end in view—both believe in living for this world.

The theologians, finding themselves unable to answer the arguments that have been urged, resort to the old subterfuge—to the old cry that Agnosticism takes something of value from the life of man. Does the Agnostic take any consolation from the world? Does he blot out, or dim, one star in the heaven of hope? Can there be anything more consoling than to feel, to know, that Jehovah is not God—that the message of the Old Testament is not from the Infinite?

Is it not enough to fill the brain with a happiness unspeakable to know that the words, "Depart from me, ye cursed, into everlasting fire," will never be spoken to one of the children of men?

Is it a small thing to lift from the shoulders of industry the burdens of superstition? Is it a little thing to drive the monster of fear from the hearts of men?

ROBERT G. INGERSOLL.

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FEASIBILITY OF AËROSTATION.

BY KARL BLIND.

"NEVER speak to me any more of that subject!" Such was the lofty utterance of Napoleon the Great, after having been told of the applicability of steam power for purposes of locomotion. The idea of railways, of steamboats, was, in his eyes, sheer nonsense. On his part, Franklin, who snatched the lightning from the clouds, broke forth, after having been present at the first aëronautic attempt, into the significant remark: "This is the birth of the child!"

Since then, it is true, the child has not made very much progress. A main reason of its backwardness is that its natural teachers, the men of science, have for a long time neglected its education; very few of them feeling inclined to undergo for its sake even a small amount of personal danger. Hence the child—as one of the most courageous, and, at the same time, truly scientific French aëronauts, M. Wilfrid de Fonvielle, aptly put it—has "run about with the rope-dancers." That is to say, it has fallen into the hands of men of small scientific knowledge, who mostly occupied themselves with air-ships in order to make money.

Men like Glaisher are rare. He rose about thirty times for the object of solving questions of meteorology. Once, having attained, in company with Mr. Coxwell, a height of 28,000 feet, he narrowly escaped death, losing, in the descent, all his scientific apparatus. He is one of the boldest pioneers in the pathless regions of Cloudland. Not the least of his discoveries is that the old notion of an incessant decrease of warmth in proportion to altitude—a notion already refuted on mountain-tops—has proved surprisingly erroneous. Several times he met, at great height, veritable Gulf-streams of air, as warm as they issue from the Mexican Gulf. The only doubt is whether those celestial warm

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currents proceed from our globe, or whether they are in connection with unexplored air strata of the constellations within which we revolve.

Even in their present unsatisfactory condition, balloons are of good use for questions of meteorology, of the chemical composition of the air, partly, also, of astronomy, not to speak of the application of captive balloons for strategic purposes—namely, for obtaining an insight into the enemy's strength and military disposition. However, the question is, to make air-ships really steerable. That has been the dream of ages since the mythical days of Dædalus and Ikarus, whose story, no doubt, has reference to an early attempt at aërial flight. Perhaps the same might be asserted of the cloud-cars in which kings, in old Hindoo poetry, were said to ride or to descend earthwards.

Be that as it may, the problem of attaining regular locomotion in the air has, in later years, occupied the minds of a considerable number of engineers and amateur scientists. In the country of Montgolfier and Pilatre de Rozier, these exertions have been most conspicuous. Few among the public at large are probably aware that a partial, but very remarkable, success has already been achieved in that respect—a success which promises the fuller solution of the task at perhaps no distant time.

On this subject, General W. N. Hutchinson has recently published a very noteworthy treatise, under the title of "The Navigable Balloon in War and Peace." Having referred to the somewhat clumsy, cigar-shaped balloon, inflated with coal-gas and impelled by a three horse-power steam-engine, which the talented French engineer, M. Henri Giffard, built in 1852 and successfully steered in a slanting direction to the wind's eye, General Hutchinson remarks:

"Much has been done since in Germany and elsewhere, and attempted in Russia. In France, the brothers Tissandier, M. de Lôme, and, recently, Captain Renard, with M. Krebs, liberally assisted by their Government, have scientifically and energetically taken up the task so admirably entered on by Henri Giffard. In September and November, 1885, they (Renard and Krebs) made highly successful trips from Chalais Meudon in a fish-shaped balloon, about one hundred and eighty feet in length and nearly forty in diameter, supporting a car one hundred and eight feet long, six and a half deep, and four and a half broad, sometimes carrying three aëronauts in cruises of about three-quarters of an hour. On one occasion, a nine-mile breeze blowing, they travelled at the rate of fourteen miles an hour, head to wind, thus gaining on the wind, when it was dead ahead, at the rate of five miles an hour. After sundry evolutions, to convince the most sceptical of the perfect obedience of their little vessel to its helm, *they returned to the exact spot they had quitted.* Electricity was

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their motive power. Such unquestionable feats stimulated the heads of the military departments in other countries to strenuous exertions towards yet further improvements, in the conviction that success, besides immensely increasing their efficiency in war, would, by reason of navigables superseding far costlier armaments, lead to great economy."

In Germany and England, as well as in France, there are now men, well qualified to give an opinion, who no longer despair of solving a problem which has hitherto baffled man's mechanical ingenuity. We are so accustomed to the wonders of steam-power, of telegraphy, of phonography, of the spectroscope, of electrical light, and so forth, that we have almost ceased to look upon them otherwise than as very simple, every-day appliances. The day will come when people will have the same feeling in regard to navigable air-ships.

Quite recently, at the meeting of the British Association at Bath, Sir Frederick Bramwell, in his address as president, gave utterance to the firmest hopes, in speaking of "the poetical feeling which would be excited in the breast of that engineer who would in the near future solve the problem—and it certainly *would* be solved when a sufficiently light motor was obtained—of travelling in the air, whether this solution were effected by enabling the self-suspended balloon to be propelled and directed, or, perhaps, better still, by enabling not only the propulsion to be effected, and the direction to be controlled, but by enabling the suspension in the air itself to be attained, by mechanical means."

It would be impossible, within the space of this sketch, to give even an abstract of the mechanical suggestions and facts contained in General Hutchinson's valuable treatise. Two short quotations may, however, be of service:

"Experiments making in Germany will lead, it is expected, to economically-worked steam-generators being employed to propel torpedo-boats, ships, railway locomotives, and navigable balloons. To obtain navigables for war purposes, such anxious attention is now paid by rival nations that, through the introduction of cheap aluminium, instantaneous generation of steam, saving of weight and bulk by oil-fuel, prevention of skin-plating, the adoption for propulsion of two long shafts (with several pairs of blades) rotating at their extremities in fixed sockets, or propulsion by atmospheric turbines, it seems almost certain that extensive aërial navigation will soon be an accomplished fact."

And again:

"This favorable prediction has, fortunately, received yet further strong confirmation in the crowning invention of the past memorable year, due to the mechanical genius of an English Protestant clergyman, Dr. T. Jones, incumbent of Curdworth,

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To his wish, last autumn, to propel by steam the tricycle on which he often rode when visiting distant parishioners, we owe what is probably the greatest invention of the present age, if it be regarded in a utilitarian point of view. At least, such was the opinion formed by most of the engineers and scientific men who had the gratification of witnessing the trial made at his vicarage, of the simple, yet clever, design."

In a note added after the first issue of his treatise, General Hutchinson further remarks:

"Since the publication of the following pages, a novel invention has been made public, which makes attainable a far lighter motor than any which the most sanguine could have before deemed possible. On the 7th of July, 1888, the specification of a patent was published, describing a method of ejecting steam directly upon the back of the propelling turbine blades without the intervention of any engine. This invention, used in combination with the 'instantaneous steam-generator,' which requires no boiler, will enable an efficient driving power of wonderfully little weight to be constructed."

Quite in accordance with his calling, General Hutchinson is eloquent on the use of guidable air-ships for warlike operations. He says that the country which first possesses efficient war-navigables must be the dominant power, and that the nation which is the first in possessing such balloons could, with ease and in security, destroy upon the building-stocks any which a hostile nation might have in course of construction. It is true the aged warrior hopes that, finally, so formidable an invention, insuring commandership in the skies, will become but another influence in the cause of peace; for "the more the inevitably increasing horrors attendant upon war are made manifest, the greater the hope that the organization of large masses of armed men to slaughter and be slaughtered will soon be abandoned in favor of the settlement of disputes by friendly arbitration." Would that we could join in this hope, for the sake of humanity!

Meanwhile we might be right glad if that more idyllic, more peaceful, intercourse so beautifully described and foreshadowed by Wilfrid de Fonvielle, in his excellent work "*La Science en Ballon*," were attained by an invention which might truly be compared to Dr. Faust's magic mantle, or to the thread of Ariadne in the Labyrinth of the Skies. Fonvielle, a Republican whom I have known since the stormy days of 1849, has given his proofs in various ways—by fighting in the cause of popular freedom, by undergoing transportation to Lambessa after Napoleon's state-stroke, by exile to England, as well as by numerous aëronautic voyages at the risk of his life. In the course of the

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war of 1870,—the outbreak of which, however, he honestly deplored,—we had, necessarily, to be on opposite sides. Our friendship has not been altered thereby. When Paris was besieged, he left it, after Gambetta, in a balloon, as the bearer of a message. Proceeding afterwards to England, he came to my house with Dr. Congreve, the leader of the Positivist school in England, who was also on the French side. It need not be said that we differed in opinion then. The view I expressed to them was fully borne out by subsequent events.

With much pleasure do I remember the ascent made from London, years ago, in company with this good old French friend, in the giant captive balloon, which had been brought over from Paris by a number of aëronauts. Another previous invitation, which I had accepted, to join in a proposed ascent in the balloon sent to London by Mr. Giffard, came to nothing; for before I was able to avail myself of the opportunity, the balloon burst in consequence of a fire.

More fortunate I was in the second instance, when we rose in the giant balloon under the direction of Mr. Glaisher. Wilfrid de Fonvielle was in the car, together with Messrs. Godard, Yon, Mangin, Chevantier and Tissandier—a whole clan of French sailors of the sky. Mr. Breary, the secretary of the English Aëronautic Society, and some others, also joined in the ascent. Our friends, Ledru-Rollin and Louis Blanc, had been asked, but they politely and thankfully declined. The wind was so high that Mr. Glaisher at first intended giving up the venture for another day. But finally it was decided by the council of war of the air-skippers that it should be attempted.

It was with difficulty that the balloon was piloted up so as not to strike the enclosure, when, to a certainty, it would have exploded. Having risen to a great altitude, it spun round in a somewhat mad and irregular dance, owing to the violence of the storm. The wind blew—as stated in the work edited by Glaisher and Fonvielle —with a force of sixty miles an hour. Several times the balloon went over sidewise. The "car," it ought to be mentioned, was not a car, properly speaking, but a circular piece of wicker-work in ring shape, through whose apertures the shifting landscape could be seen. Few, however, could bear this eye-confusing outlook through the inside. There were no seats—only narrow standing room, about breast-high. In consequence of the fre-

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quent sudden changes of the angle of the car, through terrific gusts of wind, a gentleman of the company was seized with one of those extraordinary fits of vertigo which induced him to attempt throwing himself over the precipice, if I may so say. He was, fortunately, held back in time, and then knelt down sidewise, so as to be shut out from all disturbing sight into the vast empty space.

I cannot here dwell on the grandeur of the panorama unrolled before our eyes, and the solemn impressiveness of the whole scene. The absolute stillness which prevailed as we rose higher and higher, seemed something supernatural. Glaisher and Fonvielle have described that day most graphically and beautifully. A short quotation, at least, may be allowed:

"The strong wind [it is said in their work, "Travels in the Air"] blew at the rate of sixty miles an hour. It whistled through the ropes—*the balloon lay over—and the car oscillated violently.* We were blown about six hundred and sixty feet beyond the boundary of the enclosure below. . . . The sky presented an admirable aspect. The sun appeared in the midst of mountains of cloud, and its brilliant rays transformed the Thames into a river of fire. Houses, trees, and streets appeared no larger than children's toys, and the general aspect of things was the same as we experienced in ordinary balloon ascents. In some of our aërial excursions we have risen to a height of nine thousand eight hundred and forty-three feet, and the landscape, seen from this altitude, is not more striking than from the car of the captive balloon."

We were finally wound back after the danger signal had been hung out from the car by Mr. Glaisher's orders. Whilst greatly enjoying the trip, I avow that the descent, owing to the force of the wind, was hideous. We had, repeatedly, the feeling as if the head were pushed into the abdomen or the stomach into the brain.

Afterwards, another ascent, at night, was planned, with the aid of the electrical light, for meteorological investigation. Only four men accepted the invitation; among them the Duke of Sutherland and the present writer, with his son, who had also been in the ascent just mentioned. The balloon, however, suddenly broke loose before the day fixed. Shooting up like a cannon-ball, it flew away at a height which rendered it almost invisible for a time. At last it fell down, exploded, in Buckinghamshire. I still possess a piece of its skin as a reminder of having been very near a cloud-wreck.

As for a long time I had heard a great deal of what was being done in France, I felt it a duty, some years back, to write an

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urgent appeal—published in the Literary Gazette of the *Vossische Zeitung*, the chief journal at Berlin—for the establishment of a "German Society of Aëronauts." Soon afterwards, the Society was founded under that name. At its request, I acted as the first medium of its communications with the London Balloon Society. Science is cosmopolitan, and, though only following these matters as a humble but diligent observer, I confess I am deeply impressed with the importance of the aëronautic movement. This may be an excuse for having referred to a personal experience, however slight, the result of which has, at any rate, been to make me look with ever-increasing interest upon the labors of men who, I fully trust, will, in our time, succeed in annexing Cloudland to the Realm or Republic of Science.

KARL BLIND.

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AMERICAN MARRIAGES ABROAD.

BY THE HON. EUGENE SCHUYLER, EX-UNITED STATES MINISTER TO GREECE.

AMERICANS abroad have of late been more or less troubled, and some have even been put to great inconvenience, by a recent order of the State Department, forbidding Ministers and Consuls from certifying officially as to the marriage-laws and their requirements in any parts of the United States. Not only have American citizens been thereby prevented from marrying, but some already married have felt a doubt as to the legality of their union.

The reasons given by the Secretary of State for this order were that certificates given by Consuls have sometimes been erroneous in their statements about the marriage-laws in the United States, and that sometimes excessive fees have been exacted. Some who maintain the propriety of this order say, among other things, that it will hinder marriages between wealthy American young ladies and foreigners, especially titled ones—marriages which they seem to lament. While we do not hold that such marriages are generally unfortunate or that they often produce unhappy results, we are not so much concerned with them as with marriages between American citizens temporarily abroad, in the way of which the Government has placed obstacles. We hold, on the contrary, that the Government should expedite rather than hinder the business of its citizens, and should protect them *so far as possible and proper*. In these last words is, perhaps, to be found the key to this change of policy. The Department has shirked even more than formerly any action touching, in the least, municipal law, since it has had as its legal adviser an eminent theoretical writer on various branches of law, but a man who has never been, we understand, a practising lawyer and who prefers never to speak on a question of municipal law.*

* This article was written some months ago.—ED.

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There is a tendency, too, observable in the recent decisions of the Department to the assertion of State-rights and to a restriction of the powers of the organs of the General Government, contrary to the centralizing tendencies which had for some time prevailed. It is held that a Consul, being an officer of the Federal Government, cannot properly certify to marriage-laws or civil *status* in the separate States. But as the separate States are not allowed to send Ministers and Consuls,—who would not be recognized in foreign countries, even if sent,—and as it is only the officials of the General Government that can represent or protect the interests of citizens of the separate States, who but the Consul or Minister can sign a certificate when it is rendered expedient, or even necessary, by the laws and regulations of a foreign government?

The reasons why such preliminary certificates are demanded spring from the conflict between the marriage-laws of various countries. Our Government and our courts maintain, very properly, that a marriage is valid in the United States, if performed according to the law of the country in which it is celebrated; but in the effort to conform to the requirements of the local law very great practical difficulties are often met with. The local law regards two things: first, the individual *status* of the parties to be married—*i.e.*, whether they be of sufficient age, and whether they have the consent of their parents (if such be necessary), as well as certain considerations of public order and morality, as, *e.g.*, that they are not already married, or are not related to each other within the degrees prohibited by law; secondly, the formalities attending the solemnization of the marriage. These latter are generally easy enough to comply with, as they relate simply to the form of marriage required by law, the presence of the civil official, the publication of banns, the notification of intention, the registration, and so forth. The difficulties are caused by the requirements about the *status*, as it is held in some countries that the Personal Law (as it is technically called) of the individual follows him everywhere. This it is easier to show by examples.

The French Code (Art. 170), while permitting the marriages of Frenchmen abroad to be celebrated according to the form usual there, insists on a compliance with all the requirements of the French Personal Law. So many English young girls were married in England to Frenchmen who had not, for instance, obtained the consent of their parents, and so often were their

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marriages declared null in France for this reason, and they themselves repudiated and abandoned, that it became a matter of public scandal. In Parliament, and by public opinion, the English Government was urged to do something to put a stop to this state of things. The principles governing family relations in the two countries were, however, so different that it was found impossible to make a treaty; and the British Government contented itself with being able to exact from the proper French Consul a certificate that the bridegroom had fulfilled all the requirements of the French law. One of the best-known cases of this sort was where a young French girl of large fortune, Mlle. d'Imécourt, married, at London, Paul Musurus Bey, the son of the Turkish Ambassador: on the demand of the girl's mother the Civil Tribunal of the Seine, in 1881, declared the marriage null and void, it having been contracted without the consent of the mother.

Marriages of foreigners in France are subject to French law as far as concerns the form of celebration; since the Government cannot allow other persons to exercise within its territory a function exclusively reserved to officials of the *État Civil*. When Bonaparte, at one of the meetings of the Council of State, asked why the Code said nothing about the marriage of foreigners in France, Réal replied to him, that it was because a previous article had declared that foreigners residing in France were subject to French laws. As concerns their *status*, foreigners in France remain subject to the laws of their own country, provided these laws are not opposed to good morals or to public law. On this point French decisions are unanimous.

Now the question comes, How can a foreigner in France show that in marrying he is doing nothing contrary to the laws of his own country?

When a man wishes to be married in France, he must first go to the *Mairie* of the district where one of the parties is domiciled, and have a day appointed on which both parties, with their friends and relatives, can come for an examination. At this examination both parties must answer a series of questions with regard to their *status*, their relationship, and their intentions, some of which must be confirmed by other evidence. They must present, at the same time, their papers, which include a copy of the registry of their birth, a certificate of the legal marriage of their parents,—for the rules are different for the marriages of legitimate

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and illegitimate children,—and the certified and attested consent of the parents, unless these be present to give their verbal consent. There is also sometimes required evidence to show whether it is necessary to publish the banns only in the place where the marriage is solemnized, or also in the country of the foreigner. When the *Maire* is satisfied on all these points, the banns are published, and posted in a public place set apart for that purpose at the *Mairie* for three successive Sundays. It is only after this that a day is appointed for the marriage, when the *Maire* dons his tri-colored scarf and proceeds to the celebration after the civil form required by the French law. The register is then signed by the parties and their witnesses, attested by the *Maire*, and a marriage-certificate is given for a ridiculously small fee.

Americans have more difficulty than other foreigners in showing that they are in conformity with the laws of their home. Even Germany and Switzerland, which are looser confederations than the Federal Union, have general marriage-laws of comparatively recent enactment. Probably nowhere in the United States is it necessary to have the formal consent of the parents to a marriage, where the contracting parties are at least of the ordinary legal age. In very many States there is no public official registry of births and marriages. Who is to certify to the existence of a law requiring the publication of banns or of the marriage? Indeed, who is to certify as to any of these things? The *Maire* is a civil and not a judicial officer; his province is not to weigh testimony as in a court of justice, but merely to accept a formal, properly certified statement of the actually existing foreign law. It is obvious that he cannot accept simply the opinion of a lawyer. How many American courts, without a special provision of law, would be willing to issue such certificates, except in the form of a judgment in a case tried before them? The Attorney General, or Secretary of State, might be willing to answer the question of a Minister or a Consul, addressed to him by letter or telegram, as to the requirements of the statute law; but he would hardly be willing to put it in the form of an official certificate. Even if such certificates were issued by competent home authorities, they would have to be legalized by the signature of the Governor and the official seal of the State; which must, in their turn, be legalized by the signature of the Secretary of State of the the United States; which must, in its turn, be legalized either by

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the French Minister at Washington, or by the American Minister at Paris, or the American Consul of the district where the marriage is to take place; these being the only signatures and seals which the French authorities can officially recognize. The only persons, it would seem, who could easily issue a certificate which would at once be accepted, are the American Minister and the American Consuls. They would not need the same amount of formal evidence to the existence of the laws in question; and they would be willing and able to judge of ordinary testimony as to births and marriages, which could not be placed before a French *Maire*. A man who has not the training or judgment to do this is unfit to be a Consul; and if he be not prudent enough to ascertain the exact requirements of the statute law in any special State, by consulting the laws themselves, or by an inquiry of an authorized exponent of them, by letter or telegram (answer paid), before signing the certificate, he should be dismissed.

It must be remembered that all such certificates are mere formal proofs required as preliminaries to the solemnization of a marriage in France; they are by no means final proofs, and can be gone behind and set aside by a court of justice in an action to invalidate the marriage. If the marriage be in itself illegal, the certificate could not legalize it; it only facilitates it. At the same time, an error in fact which had been cured by time (as, for example, with regard to the age or the consent of parents) would probably by no court in the world be allowed to invalidate the marriage. There is, therefore, no occasion for alarm on the part of persons whose marriage in France has been facilitated by certificates from the Consulate or the Legation.

Apparently all these considerations were not placed before the Department of State, or the Secretary would hardly have made some of the statements and deductions contained in his dispatch to Mr. McLane, dated May 9, 1887, or those in the rather sharp rebuke to the late Consul-General Walker, who had maintained the view previously held as to the correctness and propriety of the practice of issuing consular certificates. Extracts from these and other despatches are printed, together with the order in question, in the appendix to Vol. iii. of Wharton's "Digest of International Law of the United States" (pp. 975–983).

It is somewhat surprising to note the naïve astonishment of the Secretary of State that the practice of issuing such certificates

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should have sprung up recently. There have always been Americans in France since our colonial days; but the existence of an American colony in Paris, as an important body of residents, dates practically from the time of the Second Empire. There were probably American marriages in those early days solemnized in France, just as there are now occasional American marriages in Russia and Austria. But probably all of these marriages were celebrated, in the lax way usual in those times, at the American Legation by an American or an English clergyman, in imitation of English practice or precedent; or perhaps the ceremony was performed simply by the Minister or Consul. As the number of American residents increased, there was a greater frequency of purely American marriages, as well as of marriages between Americans and Frenchmen. In these latter cases especially, where the parties were to live in France and where the interests of property were taken into account, greater regard was naturally paid to the strict requirements of the French law. Indeed, the marriage of a Frenchman to an American lady at the Legation of the United States in Paris in 1868 was declared null and void by the French courts. What the French law desired was, in reality, only to know that the marriage was not prohibited by the national laws of the foreign party. French *Maires*, following their own routine, naturally desired papers, copies of registers, and other documents, as similar as possible in form to their own. These could not always be obtained; and they then accepted what are called *Actes de Notoriété*, which generally have no real value, but which they also wished drawn up in the French way. As this was difficult, the evidence in question gradually came to be supplemented by certificates issued by the Consul; and finally an understanding was had with the Duc Decazes, when Minister of Foreign Affairs, that such certificates, when issued by the Legation or the Consulate, should be accepted as a sufficient compliance with the French forms. Occasionally, of course, a new or inexperienced *Maire* would at first reject such certificates, because he was unable to understand how anything could be done otherwise than in France; but in such cases he was speedily brought to his senses by an order from the Minister of Justice or of the Interior. This practice, once established in France, continued until Mr. Bayard's order of February 8, 1887.

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These preliminary consular certificates were generally the following:

1. That in such a State, at such a time, there did not exist any public Registry of Marriages, but that sufficient evidence had been produced before the Consul that the parents of the party mentioned in the certificate were duly and legally married at the specified time.

2. A similar certificate, *mutatis mutandis*, in regard to the birth of the party.

3. That in a specified State, of which the party was a citizen, it was unnecessary to have the formal consent of the parents.

4. The requirements of the marriage-law in the State referred to.

In Italy, where there is also a large number of American residents, and where there have been many marriages of Americans with each other and with foreigners, the law is very precise. By sections 102 and 103 of the Civil Code, the capacity of the foreigner to contract matrimony is determined by the laws of the country to which he belongs; but he is also subject to the same impediments placed in the way of marriage of Italians, although there is a question among Italian jurisconsults as to whether some of these conditions may not be relaxed. Furthermore, the foreigner who wishes to contract matrimony in Italy must present to the official of the *État Civil* a declaration from the competent authority of the country to which he belongs, stating that according to the laws of that country there is no obstacle to the proposed marriage. By an order from the Ministry of Justice, certificates of Consuls are recognized as the only declarations in the meaning of the Code that can, on occasion of a marriage, be received by the Italian civil authorities. The procedure, we see, is simpler than in France, and these certificates of *nulla osta* (no obstacle), as they were technically called, have, since the establishment of the kingdom, been given by our Consuls, after having had the facts of each case proved to their satisfaction.

The general marriage-law of the German Empire, passed in 1875, says nothing of the marriages of foreigners, which are left governed by the common law, in most cases still uncodified, of the various German states. The ruling principles seem to be that, except for the form, the marriage must be governed by the law of the domicile of the husband. In Prussia, the law requires

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foreigners wishing to contract marriage, to show by authentic documents that the laws of their country offer no obstacles.

In Switzerland, where American marriages sometimes take place, and where the question seems to have arisen which called out the order of the Department in question, the general marriage-law of 1874 provides that foreigners are governed by their personal law; and Art. 31, 4, says: "If the bridegroom be a foreigner, the celebration of the marriage can take place only after the presentation of a declaration from the competent foreign authorities that the marriage will be recognized, with all its legal consequences."

Sufficient examples have been given of the difficulty of celebrating a marriage according to the local law, even where there is every intention and desire to conform to it. Not to speak of non-Christian countries, where it is impossible for foreigners to be married except at their Consulates or Legations,—which have extra-territorial rights, and where the Consuls have judicial powers, including those of marriage and divorce,—there are countries where it seems impossible, in certain cases, to get married at all. In Brazil, for instance, although the law admits all religions which do not offend that of the state or public morals, it does not admit that a man can have no religion; and as civil marriage does not exist, a person belonging to no religious confession cannot be validly married. In Peru, the Civil Code demands that all marriages be celebrated with the forms established by the Catholic Church at the Council of Trent. Persons, therefore, who refuse to conform cannot be legally married in Peru.

In view of the irregularities and complications of the marriage-laws of all countries, and of the difficulties placed in the way of Americans desiring to prove their matrimonial capacity, when trying to conform to the local laws of marriage of other countries, it may not be amiss briefly to review the general course which our Government has taken on this question. It has been already stated that, according to the analogy of the English practice, marriages of Americans abroad were frequently celebrated at the Legation, it being supposed that the extra-territoriality and immunities of that place rendered the marriage subject only to the laws which would govern marriage in a territory of the United States. Of late years, even Great Britain has become more cautious in this respect, and has instructed its diplomatic agents

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that, although marriages performed in British Legations are valid in Great Britain by statute, they are not necessarily valid elsewhere, and has advised that all such marriages be solemnized in accordance with the requirements of the laws of the country in which they take place—even although within the precincts of the Legation or Embassy.

On June 22, 1860, a law passed Congress (Revised Statutes § 4082) providing that marriages in the presence of any consular officers of the United States in a foreign country between persons who would be authorized to marry if residing in the District of Columbia, shall be valid to all intents and purposes, and shall have the same effect as if solemnized within the United States. This law speaks only of the matrimonial capacity, and says nothing about the form of celebration, or the person by whom the marriage should be performed. It was intended to regulate and correct a practice which had grown up of marriages being celebrated by Consuls in their consular capacity—a practice which had been sanctioned by the Department of State, even to the extent that Consuls at seaport towns were allowed to marry emigrants to the United States at the port of their embarkation, though neither of the parties was an American citizen, on the ground that they might "be so far regarded as domiciled in that one of the United States to which they are bound as to bring them under the shelter of local laws which make marriages solemnized in accordance with the law of the domicile valid." This practice used to cause many a lively scene at the Consulates in Bremen and Hamburg, and even on board the emigrant ships on the day of departure, besides being a source of large revenue to the Consuls. The law did not state that a marriage would be invalid if not performed in the presence of the Consul; but as the Consul was expected to attend, if his presence were asked, and was required to give an official marriage-certificate, it gave a responsible witness of the marriage whose testimony could be easily obtained by any court in the United States. The State Department almost immediately ascertained to its satisfaction—although there do not seem to be any legal decisions to that effect—that this law was practically of little consequence, and could only refer to persons domiciled in the District of Columbia or in the Territories, and not to citizens of the several States; and Mr. Bayard went so far as to say: "It

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is very questionable whether, even as to marriages of persons domiciled in the District of Columbia and in the Territories, the Act of Congress has any effect out of those jurisdictions." (Despatch to Mr. Winchester, U. S. Minister at Berne, August 15, 1885. "Foreign Relations for 1885," p. 808.) It is unnecessary to quote further from this instruction, which will present to those who are interested one of the most categorical affirmations of State-sovereignty that has been printed in an American public document during the last twenty-five years. At present Consuls of the United States in Christian countries are forbidden to solemnize marriages. The laws of Massachusetts, which make them civil officials of the State for that purpose, are, therefore, a dead letter.

The issuing of preliminary consular certificates for facilitating marriages abroad was not only implicitly, but explicitly, approved by the State Department for many years; and it was not called into question until the correspondence which led to Mr. Bayard's order of February 8, 1887. This may be seen in the despatch of Mr. Fish to Mr. Marsh of June 19, 1875; and of Mr. Cadwalader to Mr. Marsh of April 15, 1875. In the former Mr. Fish said, among other things: "The competency of this Government to provide generally for the marriage of citizens of the United States abroad has not been called in question, nor has any opinion on that point been expressed." Furthermore, on February 16, 1872, the State Department published Circular No. 39, which was printed in the consular regulations as late as 1886, and which gave a digest of the requirements of the marriage-laws in all the States of the Union, for the information of Consuls when obliged to make a certificate as to the law of any particular State. If this circular had been supplemented by information as to the changes of the marriage-laws in any States,—which it was very easy for the State Department to obtain, as the statutes governing marriage seldom change,—there could be no possible excuse for a Consul issuing an erroneous certificate on this subject.

The importance of this subject will strike any one on the slightest consideration. The question of the conflict of marriage-laws has been taken up at several sessions of the Institute of International Law; and was presented in a Report and Project of International Agreement at the meeting at Heidelberg, in 1887, where M. De Bar maintained the plan of preliminary consular certificates as to status and law in the case of marriage in foreign

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countries. In No. 6 of the *Revue du Droit International* for 1887, will be found a brief résumé of the marriage-laws of the chief countries of Europe and America, by M. Emile Stoequart, of Brussels.

To return to our original contention. The order of Mr. Bayard has rendered the marriages of Americans in foreign countries well-nigh impossible. Until this order be rescinded, or some remedy be found by legislation or otherwise, Americans abroad desirous to marry will be obliged either to return to America for that purpose, or to make a sufficiently long visit to England or the nearest British colony, or to go back to a practice which is even still not uncommon among British subjects in places where the marriage-laws are complicated—wait for the arrival of the next National man-of-war, the ex-territoriality of which, fortunately, does not depend on the decision of the Secretary of State. It can hardly be supposed that the Secretary of the Navy will follow the example of his colleague, and refuse the use of National vessels for such a purpose.

A partial remedy for this state of things has been found in France and Italy, by returning to the old system of *Actes de Notoriété* in a somewhat different form; but, as will be seen, this is worse still, because it opens the door to fraud. Four witnesses, who may know, or not know, the real state of the facts, appear before the Consul, and swear to an affidavit prepared by a lawyer or by one of the parties, comprising what was formerly included in the consular certificates. To this affidavit the Consul puts his official seal, and also officially certifies to an exact translation of the paper in the language of the country. This is done on the ground that the administering of oaths to affidavits and the furnishing of sworn translations come within a Consul's ordinary official duties. These affidavits, with their translations, are then taken to the proper official, whether of a tribunal, or of the *État Civil*, by whom they are received on the strength of previous decisions or precedents, and the marriage is allowed to take place. The Consul dares not inquire who the witnesses are, or whether they really know anything of the facts to which they swear; and even professes not to know officially for what purpose the affidavits are to be used, lest he may be removed by the President for rendering a service to a fellow-citizen of the United States in a matter which concerns the latter only as a citizen of Alabama or Kentucky.

EUGENE SCHUYLER.

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IN JOSEPHINE'S GARDEN.

BY GAIL HAMILTON.

OVER a little old colonial table, in the little red dining-room, has lain spread for many years, a cover of flimsy and faded silk. The inwrought blue scroll-work holds bravely its own, but the pink ground is pale with age. Its roses climb with a curve as spirited as that of their first blooming, but their hues are as dead as their perfume. Upon the silken tissue rests a picture of many-colored waters, a sea, as it were, of glass mingled with fire, beneath the radiating splendors of a tropical sunset. Close below, against the phantom roses, lies a real rose, folded and stiff, yet red and rich, with long stem and bold leaves and palpable thorns; but as still in death as the faded silk and the painted sea. Between the phantom fabric and the crushed and pulseless rose, stretch, ah! what woful memories, what a tragedy of youth and beauty and love and power, crumbling into failure and dire defeat and bitter death!

For the blue scroll and the woven rose are waifs blown to me from Josephine's Martinique over the golden azure and purple sea painted into my golden frame by a hand I love, beneath eyes that beheld the glory; and the red rose, faded and fragrant, I plucked from Josephine's own rose-garden at Malmaison.

Strange working of fate, that not her beauty or her brilliant fortune, but her degradation, was what gave her immortality. The dread of her life and her final despair became her royal and lasting crown. Had Josephine died the wife of Napoleon, she would have been known but derivatively to posterity as Napoleon's wife. Discarded by him, the ages have adopted her as a hero in her own right, and have conferred upon her the distinction of individual remembrance.

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Underneath the crown and the doom, the glamour of empire and of martyrdom, what was Josephine? Between the rhapsody of her admirers and the revenges of her detractors, is it possible to get at the real woman, at the real man, at their actual relations to each other, at the truth of their love, at the nature of their ambition, at the fact of their fidelity? Perhaps not entirely, with absolute certainty; for the testimony of eye- and ear-witnesses is only valuable as we know the eyes and ears that witness. But in the deadly sweet stillness of Malmaison, Josephine smiled out of her rose-bower upon my eager, sympathetic questioning; Napoleon frowned sternly from his cabinet, yet softened, after all, to a questioning that was sympathetic; and thus, by the irresistible force of a common human nature deeper than any difference of time or blood or brain, they were constrained to lay aside all imperial reserve and tell their story, soul to soul. And it was a love story—not a perfect love; a sombre, an exacting, a suffering love, but a real, yes, and a great, love.

Meeting Napoleon thus, face to face and soul to soul, not only honest, but not on guard, we see that he is no demi-devil, as his enemies depict him, nor is he the demi-god of his worshippers—not a monster of intelligence, not a monster of heartlessness. He had a marvellous military genius, which sometimes blundered. He had a marvellously luminous intellect, which was sometimes obscured. He had a marvellously magnetic heart, with the possibility of cruel throbs. By such token he descends from the throne where eloquence had placed him, a sceptred hermit, wrapped in the solitude of his own originality, but only to mount another throne, not less lofty because more intelligible; a leader of the masses, but of the masses himself—no hermit, in no solitude, but a man among men, and most a man of all, towering, magnificent, wholly human.

And Josephine—her faith, her devotion, her dignity are not imperilled because, in the intimate revelation of her rose-garden, she, too, confesses the impress of her time and her surroundings. She is always fair, graceful, elegant, whether in the simple muslin of her rural retreat, or in the heavy heart-weight of her coronation robes, kneeling to receive the crown proudly from the proud hand of her self-crowned Emperor, or standing in statuesque sorrow, avenged by fate for her discrowned state by the stately homage of conquering kings. Fair and graceful she shall remain,

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and envious history point to the ravages of time upon her beauty, in vain.

With the scandals of her court it is idle to deal. They have been a thousand times proved and disproved. But her own words and deeds—these are a trustworthy indication of her character, and from these, which withdraw no measure from our pity for her suffering or from our admiration of her virtue, we may yet learn a lesson—which neither Napoleon nor Josephine ever drew—of the inexorable reign of law.

So, then, it must be said of these two, so high, so low, that they broke the universal law and tempted their fate. Great in strength, they were equally yoked in weakness. Distinguished for tact, Josephine sometimes and signally failed in tact. With an acute intelligence in her social sphere and for her own personal bearings, she failed utterly in a large intelligence for political affairs. She not only lacked the discernment necessary for discussion, but the discernment necessary for reticence. She failed not only to give her husband the stimulus of suggestion, but the repose of confidence. "A secret is burdensome to Josephine," he said, with amiable satire.

"Josephine," he dared patronizingly to address her, "your heart is excellent, but your reason feeble."

And Josephine herself confessed—avowed—with unconscious frankness, not even seeing whereunto the confession tended, "I never beheld Napoleon for a moment perfectly at ease, not even with myself. If at any time he appears to show a little confidence, it is merely a feint to throw the person with whom he converses off his guard, and to draw forth his sentiments; but never does he himself disclose his real thoughts."

This in no wise militates against the indubitable fact of his love. Her gentleness, her amiability, her love for him, won his strong attachment. He found no fault with her for not keeping a secret; he simply confided no secrets to her keeping. He missed in her no stimulus; he was not wont—apparently he did not need—to receive any stimulus from others. He pleased her by protesting that he loved "kind, gentle, conciliatory women"; and of such was Josephine—"feminine, unaffected, and amiable, for they alone resemble you." He doubtless believed, if he thought anything about it, that a woman with mind complementary or corresponding to his own would have been hard, disgreea-

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ble, unmanageable, troublesome; but even in 1889 men have not widely discovered the contrary. Napoleon would have been in advance not only of his own age, but of ours, if he had thought otherwise. Men still trust their theories more than they trust nature.

Nevertheless, it remains that, regarding one whole department of Napoleon's life, Josephine stood outside.

He loved her as men love women to-day—because she was charming: "I never saw her act inelegantly," he said, "during the whole time we lived together,"—a rare and delightful trait, worthy to bring a woman the love of a great man.

Because she was well dressed: "She was the goddess of the toilet. Everything she put on appeared elegant,"—a desirable and powerful achievement, still more rare and difficult, and, despite all prejudice to the contrary, nowhere more difficult than in Paris, ravaged by clumsy *couturières*.

Because she was kind and humane: "She was the most graceful lady and the best woman in France." On her deathbed she had the divine consolation of feeling "with truth, in this, my dying hour, that I never caused a single tear to flow." With truth, indeed, if wanton cause were meant.

"She possessed a perfect knowledge of the different shades of my character, and evinced the most exquisite tact in turning this knowledge to the best account." Yet Napoleon not only divorced her, but, what was worse, snubbed her—worse in manner, if not worse in substance. And this he could do openly, before her own ladies, sending her away cowering and ashamed. Then Josephine must have been sadly wanting in tact, or sadly ignorant of some shades of his character—if Napoleon means not to confess himself utterly brutal. And, with a capacity for brutality, he was not utterly brutal.

Certain it is that something other than mere materialism, in whatever grace of blossoming, was necessary to attract his friendship and secure his attachment. His love was not outrushing to youth and beauty. His best and most lasting devotion was to higher qualities. He could be brutal, even to women, but he was far from being wholly brutal. That he was a military monstrosity devoid of heart can never be believed by mind-readers, by character-readers. The man whose family, whose friends, whose discarded wife prayed for the privilege of immolating themselves

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with him on the frighful fatal island where England bound him, to her lasting shame; the man whose comrades suffered every discomfort, not only, but every indignity, that they might soothe his exile; the man for love of whom thousands gladly, passionately, laid down life; the man for whom a fellow-sufferer refused deliverance even at his death, but voluntarily wore out seventeen years of solitary exile to guard his grave,—was a man of heart as extraordinary as his head. Nay, the very act of his life—blunder or crime—which broods forever in the silence of Malmaison, carries with it the incontestable proof of his tenderness. It was a crime and a blunder, but it was conducted from beginning to end with every delicacy which could veil a cruel act, with every honor which could attend degradation, with every sign which could attest suffering.

The shadow of her doom hung over Josephine's path long before the blow fell. From an early period she had sought, with innocent wiles, to centre the hopes of Napoleon upon his stepson, her Eugene. Her husband's keen perception divined easily her intent. "She never," he said, looking back afterwards, "showed any additional complaisance or assiduity when Eugene was receiving from me the greatest honor. Her grand aim was to assume that all this was *my* affair—that Eugene was *our* son, not hers. Doubtless she entertained the idea that I would adopt Eugene as my successor."

Napoleon saw what the poor hunted creature would be at, and he held his peace. His resolution was inflexible, but he would not anticipate torture. Yet his silence was her keenest foreboding. But when the deed was done, he was willing to remember her fancy, and use it to soothe her anguish and retain her friendship. In announcing to her the birth of his son, he suggested with kindly craftiness: "This infant, in concert with *our Eugene*, will constitute my happiness and that of France." He was not "our Eugene" enough to save Josephine, but enough "ours" to soothe her when lost; and poor, shallow Josephine did not remember, did not resent, but walked into the little trap and was tremulously pleased. "Is it possible," she exclaimed on reading, but not recognizing, this mockery, of her own wish and words, "—is it possible to be more amiable? This uniting my son with his own is, indeed, worthy of him." Napoleon saw through Josephine, but Josephine did not see through Napoleon.

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Now, it is no discredit to a man not to understand a woman, because she is the more complex, the more highly organized, the superior being; but it is the business of a woman to understand the man.

With never-ceasing regret we must own that, when innocent wiles failed, Josephine had resort to wiles not innocent. Her own anguish blinded her to the weight of another's anguish, and she sought to avert fate from herself by means as cruel, as pitiless, as inadmissible as those wherewith Napoleon overpowered her. Unrelenting, this gentle, faithful lover, sacrificed to her love, her child. Her beautiful Hortense, fair, delicate, petted, gentle, brilliant, and gay, in the first freshness of life's morning, loved Duroc, and was beloved by him; a handsome, winsome man, a skilful general, a dear friend of the Emperor. It was a prudent as well as a proper marriage, but it would give no additional security to Josephine. Whereas, if Hortense should marry Louis, a favorite brother of Napoleon, their son would inherit the name and blood of Bonaparte, and thus might well become that longed-for and seemingly-imperative thing, Napoleon's heir. Then might Josephine retain her rank and—let us be just—her love. The stakes she played for were high. Women seldom have a more terrible temptation, and Josephine—fell.

Louis, too, was a victim, but not wholly of Josephine. Napoleon sinned the sin of Louis, and with less of temptation than Josephine. Josephine's motive was to avert the bitterness of death. Napoleon's was only to build up the pomp of life. Louis, not without virtues, intellect, imagination, had early become absorbed in a passionate and ennobling love for a daughter of the old nobility. But the old nobility, devoted to royal interests, might interfere with Napoleon's plans, and the marriage was prevented. From this disappointment Louis never recovered. Naturally pensive, not too forceful, and, at best, but little ambitious, he became taciturn, lost the last vestige of political aspiration, clung in solitude to study, and refused to listen to any proposal for any marriage.

Josephine manœuvred awhile, unsupported. "Josephine," said Napoleon, succinct as ever and, as ever, clear-sighted to her little schemes, "labors in vain. Duroc and Hortense love each other and they shall be married. I am attached to Duroc. He is well born. He is brave. He is general of division." This is

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amiable and admirable. Napoleon plays well the part of benevolent and direct father against ambitious mother. We should be glad to think, also, that he had learned, in the matter of his brother, the evil of interfering with the course of true love, and would no more of it. Unhappily, the cloven foot appears in the next sentence: "*Besides, I have other views for Louis.*"

But Josephine's inflexibility against her own divorce outwore Napoleon's negative advocacy of Duroc, and she prevailed. The loving young girl was separated from her lover and married to the disappointed, moody, and reluctant recluse—unwilling bride to unwilling bridegroom.

To whom for a good? The little heir came—and went before the innocency of infancy faded from his brow. Another succeeded him, but alienation and disappointment combined to set a shadowy bar-sinister upon his escutcheon, which never wholly faded out, and against which no dream ever could endow him with the inheritance of France. When all who had wrought the evil upon his parents and upon him were in their graves, he made himself Emperor for twenty inglorious years, to die in exile, leaving a dubious name; leaving France defeated, shamed, enraged, athirst for revenge, at the feet of her foes; leaving his one son, his one feeble Prince Imperial, to die prematurely, rushing unsummoned into a war without laurels, perishing miserably under the onslaught of a savage ambuscade.

"Ah! the pity for Josephine," said one, when her grief and fate were at their crisis.

"Pity Josephine!" hissed Duroc, pointing to a group where his wife and Hortense stood side by side. "Look at those women. One is heaven; the other hell! No, I do not pity her!"

What Napoleon did in divorcing Josephine was to turn his back upon the impelling force of his life, upon his political principles, upon his ecclesiastical polity, and divorce himself from his strength. It is hard to see how a man so gifted with insight could, in any sphere, be so blind. Thoroughly a man of the future, he threw himself into the arms of the past, which was, in him, a thousand-fold more weak than if he had been born to the past. Abandoning, or, at least, ignoring his sublime, because well-grounded, self-confidence, he leaned upon the slender staff of a royal alliance, and it pierced him to the heart. It was all the stranger betrayal, because his confidence had

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never betrayed him. In his young manhood, wooing Josephine in a rank above him, Barras had assured Josephine that, if she would marry Bonaparte, he would secure Bonaparte's appointment to the army of Italy, and thus elevate him to a rank nearer hers. "Do they think I need *their* protection to arrive at power?" haughtily, splendidly, exclaimed the twenty-six-years-old soldier. Did he then need the protection of tottering thrones to retain power? No man better than he understood, or even to-day understands, the right and the might of the masses, the sovereignty of the people. "My ambition," he confessed, "was great, but it rested upon the opinion of the masses. Called to the throne by the voice of the people, my maxim has always been, a career open to talent without distinction of birth." Yet against laws and interests of church and state, he set aside the woman who had risen with him from the masses, to ally himself with a daughter of royalty, in order that the Empire which he had shaped by his own right arm should descend, like the kingdoms which he overcame, to a ruler by right of birth!

The idea that a prescribed birth was necessary to the stability of his Empire, or could so much as secure it, was, of itself, a stultification, was to discredit his own title. Had he inherited his position? Nay, he boasted, righteously, "I became by my own exertions"—not by any transmission of blood—"the most powerful Monarch of the Universe." What had he to do with dynasties except to overthrow them, or, if need be, readjust them according to the new time? To found them was to begin again the old dull round of things, which had given way before the blows of his genius like the dust-decayed bole of a stately-seeming tree. When Bourrienne expressed his fear that Napoleon could not get himself acknowledged as Emperor by the old dynasties, he gayly retorted: "If it comes to that, I will dethrone them all, and then I shall be the oldest sovereign among them." It was the light-heartedness of conscious superb strength; and he turned from it to invoke the aid of an heredity in itself weak, but for him weakness itself!

On the night preceding his coronation, Josephine prevailed upon Napoleon to consent to a private religious celebration of their marriage, while already he was meditating its violation. Present ease was palpable; the tears of Josephine were immediate; the sanction or ban of heaven was neither,—but was yet so

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efficient a factor in organized society that he forbade to appear at court a woman who had been kind to Josephine in adversity, and whom Josephine gratefully wished to reward with imperial recognition; forbade her because he was desirous of strengthening more and more the church he had reëstablished, by keeping at a distance from his court all who may have availed themselves of an opportunity for a divorce!

The peasant women who cried, "Napoleon is *our* King, but the Bourbons were the Kings of the Nobles," Napoleon declared to have sounded the key-note of the whole matter. How, then, could he strike such discord as to dethrone "our Empress," beloved by the people, and dream of establishing himself more firmly in their affection and accord by crowning an Empress of the Nobles—the hostile and hated Hapsburgs?

"Are nations simple enough to believe themselves the property of a family?" he asked, with the conclusive incisiveness of pure logical statement,—and forthwith broke hearts and laws for the sake of creating a family to own the French nation!

"When I heard the result of the battle of Waterloo," said one, "I felt as if the clock of the world had gone back six ages." But of the hour struck at Waterloo, Napoleon himself had sounded the alarum when he turned from the resources of his own luminous intellect, the support of the enthusiastic masses whom he drew irresistibly to his side, the beneficence of the institutions which he had given to France, broke the heart of the best woman, and the highest law in France to entrench himself in a law which the world had begun to outgrow, and which his own clear brain had signally and repeatedly denounced. Before the clock of Waterloo went back Napoleon had tampered with the works!

But if Napoleon betrayed his principles, so, it must be admitted, did Josephine betray her instincts. Napoleon was resolved upon the divorce. That she could not help. She could have helped consenting to it. She had deprecated his assumption of the estate of monarch, foreseeing, foredreading what it meant for her, but I find no shred of testimony that she ever took her stand upon eternal right and wrong. I find no evidence that she ever presented to him, or herself discerned, the imperiousness of moral obligation, the inviolable sacredness of the marriage vow, the certain duty they owed to civilization and Christianity beyond any uncertain duty of founding a dynamic dynasty.

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Josephine did but as many wives do—threw all the anguished energy of her heroism into conforming her own will to the will of her husband, rather than into conforming her husband's will to the will of God, to the everlasting law of righteousness.

Without vulgar contention, without active participation, by simply refusing to sign her name, by submitting to be a victim but declining to become an accomplice, Josephine would have preserved the full dignity of her position. Napoleon would have completed the divorce; would have compelled the sacrifice of her happiness; but he could not have compromised herself. Her position would have been commanding. As it was, she did but vie with him in his own line, and missed the great opportunity for a great deed—a helpless but imperial protest against wrong.

She went further. She not only gave in her adhesion to his will,—which was not even a virtue, since his will was law,—but she ran ahead of his will, bought or sought his continued friendship and companionship by taking a part, hideously unbecoming, in his unholy alliance. She entertained and expressed a preference as to the wife he should choose, and even offered her services to secure the Austrian connection; thus demonstrating that, in the matter of this divorce, her *morale* was no higher than Napoleon's.

And what good came of it at last? quoth little Peterkin.

Wreck,—swift, complete. Wreck to Napoleon of love, of ambition, as total as the wreck he wrought on Josephine. The desired heir was born, a beautiful boy,—and there was no kingdom to inherit. While he was yet a prattling baby, the great new government vanished into a memory, and France was delivered by foreign foes to her domestic foes. Napoleon's own eyes saw her forced back into the hands from which she had torn herself free—forced back under those Bourbons whom he justly taunted with having lived for twenty years on the charity of foreigners, in open war with the principles and the interests of France.

The young wife who was to bring her husband the flying buttress of a Royal house, made a faint-hearted attempt to aid him with her feeble influence and her feeble presence; then went her feeble way and consoled herself with another man—more her nature's mate—in some ignoble, unacknowledged, unhandsome marriage, if marriage, indeed, it were.

The haughty Hapsburg father had eaten humble pie as greed-

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ily as any parvenu, and courted the Corsican soldier for his daughter when the Corsican was successful; but haughty Hapsburgs can turn a corner or a coat, for their own advantage, as fast as common earth. "My father," said the daughter of the Cæsars, "would never consent to the Emperor's dethronement. He repeated to me over and over again, when he placed me on the French throne, that he would always maintain me in that station; and my father is rigidly true to his word."

But "my father" piped to another key. "Francis," said the Czar, with all the *sang froid* of Artemus Ward, "—Francis will sacrifice all his personal affections for the repose of Europe."

And Francis did!

When the daughter of the Cæsars fled from the palace of the people's Emperor, the thunder of her father's approaching cannon told her how rigidly he was keeping his word!

The heir who was to be all carefully trained to preserve and transmit the great governmental system of his great father, lived his short life in profound obscurity, and of him the world knows scarcely more than name. On the horrid, torrid rock where the cruel and sovereign cowards fettered their great enemy,—sovereign because their sudden terror of this Man of the People overpowered their squabbles against each other long enough to permit them to combine to crush him,—no solace of wife or child was his. He never again heard the sweet, lisping voice, or saw the sunny, dimpling face, or felt the waxen touch of the baby fingers. In his bitter sorrow at St. Helena for these dear ones, did ever remorse come to him for the wives he forbade to Louis and Duroc; for the wife whom he plucked from Jerome; for the husband whom he forbade to Hortense, of whom he robbed Josephine?

No. Strange blindness of clear eyes—apparently never. All his plans had failed, and noble plans they were: the hands upon the dial-plate of Europe have not yet passed the hour that struck at Waterloo; yet Napoleon had so little learned the lesson that he could pause on the threshold of another world to murmur: "If my son remains in exile, let him marry one of my nieces; if France recalls him, let him seek the hand of a Russian princess."

I discern no sign that Napoleon ever discovered the moral wrong, or ever even appreciated the extent or the nature of Josephine's keen suffering. "There are moral laws as inflexible and imperious as physical laws," he said sagely, and could see that

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the Bourbons had broken them in misgoverning France; but never could he see that he had broken them in repudiating Josephine. He was naïvely and really surprised at the poignancy of her grief, when he announced his resolution of divorce. He had told Hortense! Hortense should have prepared her for it! "I thought she had more firmness!" He confessed too much in designating his Austrian marriage as an "abyss covered with flowers." The flowers should have been for him what they were for Josephine, bitter rue and baleful aconite; but call them by what name we will, their distilled essence was a fatal poison to both—and he did not know it.

Of all the actors in that sad drama, Josephine wears the laurels. The world has agreed to overlook her weakness, to ignore her wrong; to remember only her wrongs, her dignity, her fidelity. Even on the low level where Napoleon the Great shrivelled to Napoleon the small, the future avenged Josephine. It is her descent, not his, that reigns in Europe to-day. The young prince who lately came down the steps of a throne to marry the girl he loved, has Josephine's blood in his veins, while the young girl who has just revolted Christendom with her unnatural marriage, is of the blood and name of Bonaparte.

Justly is Josephine crowned with the crown of them who love much. Her cruelty was not of her nature, but sprang from the frenzy of her despair. The comfort of her last hour, that she had never caused a single tear to flow, was worth an angel's remembrance. For all that Napoleon had done to wring her heart and wound her pride, she protested that she never felt the full extent of her trouble till it prevented her from joining him in exile. And so, unable to bear his grief, which she could not share, with his picture in her hand, with his name upon her lips, she died.

GAIL HAMILTON.

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CHRISTIANITY VERSUS SOCIALISM.

BY THE REV. LYMAN ABBOTT, D.D., EDITOR OF "THE CHRISTIAN UNION."

"SOCIALISM means, or wishes to mean, coöperation and community of interests, sympathy, the giving to the hands not so large a share as to the brains, but a larger share than hitherto in the wealth they must combine to produce,—means, in short, the practical application of Christianity to life, and has in it the secret of an orderly and benign reconstruction." So says James Russell Lowell, in his essay on "Democracy" (page 40). This is what Christianity also means, or wishes to mean. How, then, do they differ from each other? This is the question to which I propose in this paper to give a partial answer. My aim is not to compare the Socialism of the Reds, with all its crude theories and sometimes revolutionary and even riotous spirit, with the Christianity of ecclesiasticism, with all its ceremonialism and scholastic tendencies. The one is as foreign to the intelligent Socialism of modern thinkers as the other to the simplicity of the method and spirit of Jesus Christ. My aim is to take what is best and purest in Socialism with what is best and purest in Christianity, and compare them. And, in doing this, I make no secret of my aim, which is to justify, after a well-considered comparison of the two, the methods of the Christian Church and the Christian ministry, and their refusal to abandon these methods for the philosophy and the methods of modern Christless Socialism.

Let me frankly concede, at the outset, that the contrast here suggested is, perhaps, unduly heightened by the antithesis. Christianity and Socialism shade off into each other; and if, on the one hand, modern Socialism is largely pervaded by Christianity, it is also true that modern Christianity is, in its practical workings, rightly adapted to and modified by the socialistic needs and move-

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ments of the age. Leaving this general statement to qualify what follows, I endeavor, without repeating this qualification in each paragraph, to put the methods of a Christless and of a Christian Socialism—or, in more popular phrase, the methods of Christianity and Socialism—in contrast, for the purpose of at once interpreting, and defending from attack and unintelligent criticism, the methods of Christianity in dealing with Socialistic problems.

I. In the first place, then, all varied forms of social philanthropy proceed on the assumption that the thing essential to be done is to modify the social organism. They proceed on the assumption that, if the social organism can be made right, the condition of mankind will be made right. There are as many different sects in what we call socialistic philanthropy as there are in the Christian Church, or, if not as many, they are, at least, as antagonistic. One social reformer tells us that we must abolish the tariff, and then prices will be lowered and wealth will be distributed; another tells us that we must raise the tariff, and then wages will be raised and wealth will be distributed. One social reformer tells us we must levy all taxes on the land and take them off everything else; another tells us we must take them off the land and levy them on incomes. One social reformer tells us we must increase the power and extend the functions of government; another, that government is a failure, or, at best, a necessary evil, and that we must reduce its powers or abolish it altogether. But the high-tariff man and the Free-Trader, the land-tax and the income-tax advocate, the State Socialist and the Anarchist, widely as they differ, all agree in this one fundamental doctrine—that if we can only make the social organism right, humanity will be well taken care of.

They strike at the vice in the organism; demand reform in the organism; seek changes that can be wrought by legislation in the organism. Jesus Christ proceeded on a directly opposite assumption. He made almost no attempt to change social order or the social organism. The system of taxation that prevailed in the Roman Empire was abominably unjust. Christ said never a word about taxation. Labor was not only underpaid and ill-paid, but, for the most part, worked with its hands in manacles; but Christ said never a word about slavery. If drinking and drunkenness were not as bad in their forms then as they are now, by reason of the modern use of distilled liquors, then compara-

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tively unknown, drinking habits and animalism, in all its forms, were worse in Greece than they have ever been in America; but Christ never levelled his shafts against the man that sold liquor, or against the liquor trade, or against the making of wine. Phariseeism was a phase of a great hierarchial system. Christ did not strike at the hierarchy and the system; he struck at the Pharisee, not at the *ism*. He struck at the injustice, not at the form which the injustice took on at a particular era, in a particular country, under particular circumstances. He sought to change, not methods, but men. He struck, not at the outward clothing of the wrong, but at the wrong itself. Accordingly, he said almost nothing about social evils and a great deal about individual sins. In strictness of speech, a nation does not sin. The individuals that make up the nation are the sinners. Sins are individual, and Christ proceeded on the assumption that, if we can get rid of sin in the individual, we shall get rid of evil in the state; but if we leave the sin in the individual, all social reform will result only in a change in the form of social evil.

Christ indicated in this respect the method which the Christian Church has, with more or less deviation, followed ever since. The Christian Church is not, and does not undertake to be, a social-reform organization; nor is the Christian minister a social reformer. Father McGlynn leaves the Roman Catholic Church, and Hugh O. Pentecost leaves the Congregational Church, and they go out into the halls and say, Follow us. But we do not, and do not intend to, follow them. We decline to turn aside from our work to debate the question whether the land tax or income tax, free trade or revenue reform, State Socialism or *laissez-faire*, are right or wrong, beneficent or maleficent. Our business is different. Our business is to make men, and trust that out of right manhood will grow right systems.

This radical difference is best seen in a glance at the proposals of the radical Socialist. He believes in manufacture, not in growth, of men. He would rub off from the slate all the experience of past history; then take the slate and write a new scheme for the industry of the future. A man who cannot organize his own household, who cannot live in peace with his own wife, who cannot manage his own children, who cannot earn money enough to keep his toes from peeping through his shoes or his elbows through his coat-sleeves, is ready to tell us how we are to organize

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the industry of the world. But it is our Christian belief that social organisms are not to be manufactured. One cannot take a bit of timber here and a bit of iron there and make a new shelter for humanity. Social organism is a growth; and the fundamental condition of growth is personal manhood, out of which growth may come. It is not possible to make a solid ship out of rotten timber. It is the business of the forest, not to make masts and keels and knees and ships, but to make trees; when the trees are made, then men will take them and make of them masts and keels and knees and ships. It is not the work of the mountain to turn the busy machinery. It is the work of the mountain to furnish the springs and streams that gather together into a river which will drive the machinery. It is the work of the Christian Church to make the trees out of which the social ship shall be constructed, to keep full in men's hearts the spiritual and moral life which shall drive aright all industries, all political and social organisms of the world's industry. The work of the Christian Church is, the work of Christ was, primarily individual; only secondarily social and organic. Christ's method was based on the assumption that, if individuals were made right, society would rectify itself; and that is the method which he has bequeathed to the Christian Church and the Christian ministry. It is not for the church to tell what justice demands in taxation, but to develop such a spirit of justice in the hearts of men that they will work out that which is just in government. It is not the vocation of the minister to tell the capitalist what he must do in the organization of his labor, nor to tell the laborer what he must do in his treatment of the capitalist. It is the business of the Christian Church and the Christian ministry to inspire such sentiments of humanity and good-will in the hearts of the children of men, such faith in the Golden Rule and the brotherhood of humanity, that the capitalist and the laborer will find it easy to shake hands with each other and go on their way rejoicing.

This is not because Christ was indifferent to social evils; not because the church is indifferent to social evils, or a defender of the social order. From the days of Paul down to the present time, the true apostles and followers of Christ have been men that were turning the world upside down; and they will go on turning the world upside down until it gets right side up. But the process of revolution is one that must be wrought in the hearts of in-

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dividual men. There is no short cut to the millennium by a manufactured social order.

II. In the second place, modern social philanthropy proceeds, primarily, in its work of reform by endeavoring to rectify man's environment. It does not work primarily upon the individual, but upon society; nor upon his character, but upon his circumstances. It acts upon the philosophy that man is made by his environment; that his surroundings are the creator, and he is the creature. Accordingly it demands clean streets, better food, good sewerage, improved lighting, improved tenements, and so on to the end of the chapter.

Now, this was not Christ's method. Christ dealt with men, not with circumstances. Pauperism was far more common in the first century than it is to-day; but Christ said nothing about pauperism. He did not even suggest its abolition. There was immeasurably less regard paid to sanitary conditions in the first century than there is to-day. Christ did not attempt to teach men sanitary and hygienic reforms. This was not wholly because sanitary science was unknown; for he had less to say about it than had Moses, fourteen centuries before. Modern social philanthropy proceeds on the assumption that, if you can make the environment right, the environment will make the men. Christ proceeded on the assumption that, if you can make men right, the men will make the environment. Social reformers wish us to abandon our spiritual work, in churches, Sabbath-schools, and missions; they propose to us to lay aside the Bible, substitute a primer on hygiene, stop preaching, and go out and clean the streets; stop talking about morals and religion, and give men decent homes and good sewerage; get rid of sewage-gas first and sin afterwards.

That, certainly, has not been the way of the Christian Church in the past, and will not be its way in the future. We do not disesteem sanitary reform, but our way to sanitary reform is, primarily and chiefly, by the reform of character. Circumstances do not make men: men make circumstances. Even the oyster makes his own shell. Changing one's circumstances does not change his character. The lie of the lady in silk or the gentleman in broadcloth, spoken with a smile, while standing on the Wilton carpet, is as base a lie as the lie of the man in rags, with a grin on his face, while standing on the sanded floor. The in-

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dulgence which eats with a golden spoon is no whit better than the indulgence which eats with a wooden spoon. The pig is a pig still, whether it roots in the garden or wallows in the sty. It is not environment that makes men: men make environment. The same ocean washes Ireland and England; the same sun smiles on them both; the same beneficent fogs and rains fall on their greenswards; and the same kind of green grass springs up for them, making verdure in the one island as in the other. Why is Ireland Ireland, and England England? Because one is inhabited by the Celt, and the other by the Anglo-Saxon; and, I may add, because one lives under the stimulating power of a Protestant faith, and the other under the dwarfing and deadening power of a Roman Catholic ritualism. It is not the business of ministers and churches to make clean streets or improved tenements. It is their business, if they speak to landlords, to speak such sentiments of justice and truth that no man that rents a house shall leave the miserable tenement without air, without water, without sunlight. It is their business, if they preach to the poor, to preach such a gospel of cleanliness and order and decency that no man in his poverty will consent to live without these three things—fresh air, fresh water, God's sunlight.

III. In the third place, modern social philanthropy proceeds on the assumption that, in social reform, we are to begin with the lowest factor in man and work up to the higher. First, it says, deal with the body, then with the intellect, then with the ethical nature, and finally, if there is time and force left, with the spiritual condition of things. Give good food, good clothing, good external conditions. Build not a church, but a Palace of Delight. Following after these, give education, give schools and languages; let the intellect be developed. Then organize societies for ethical culture. Teach the second table of the law: Thou shalt not steal; thou shalt not kill; thou shalt not commit adultery. As for God and immortality and Christ and theology, we will talk about that when we get to it.

Now, that was not Christ's method. He did not begin with the bottom of man and work up to the top. He began at the top of man and worked down towards the bottom.* He did not

* This was also the method of Socrates: "All good and evil, whether in the body or in human nature, originate in the soul and overflow from thence, as from the head into the eyes. And, therefore, if the head and body are to be well, you must begin by curing the soul; that is the first thing."—*Charmides.*

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attempt to lift men up by a leverage applied from below: he attempted to lift men up by a hand reached down from above. Did he not feed five thousand in the wilderness? Yes!—after he had preached all day; but he preached first and fed afterwards. These four things are, in Socialism, placed in this order: First, what makes for the welfare of man's body; second, of his intellect; third, of his ethical nature; lastly, of his spiritual nature. But in Christ's order, spirit comes first, morality second, the intellect third, body last of all. Christ assumed, Christianity assumes, that in every man, behind the shell, it may be, of rags and filthiness, behind the more impenetrable shell of luxurious and selfish wealth,—in every man, somewhere, there is a sentiment of reverence, of love, of divine manhood; and it is the work of the Christian Church and of the Christian ministry, as throughout all ages it is the work of God himself, to brood the soul until he has kindled into life this spiritual nature. When that spiritual nature has been kindled into life, it will develop an ethical life, it will demand an intellectual education, it will build up for itself the conditions of physical well-being.

To sum up in a sentence, then, this antithesis between the method of Socialism and the method of Christianity: the church has often, like the priest and the Levite in the parable, passed by on the other side, and left wounded humanity to the care of the heretic, while it hurried on to the temple service at Jerusalem. For that disregard of humanity in a pretended consecration to God, I have no words but of indignation and contempt. But in our care of humanity we adhere, not blindly or superstitiously, but deliberately and with due consideration, to the principles and methods of Jesus Christ. We rejoice in legal, social, sanitary reform, and give Godspeed to all such reformers; but, in our work as churches and ministers, we propose to work for the rebuilding of men rather than for the reforming of social organizations; for the change of character rather than of environment; and by appeals to men in the order of moral supremacy, appealing first to the dominant sentiments of reverence, hope, faith, and love; second, to the intellectual and social considerations of prudence and present well-being; last of all, to the mere physical and animal nature and its needs.

LYMAN ABBOTT.

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THE DEBUT OF A DRAMATIST.

BY DION BOUCICAULT.

I WAS eighteen years of age at that time. I am sixty-six now. Forty-eight years ago! *Eheu! fugaces labuntur anni!* Ah me! —where was I?

* * * * * *

Follow me down a narrow street leading from the Strand to the river: Villiers Street, I think it was called, but it has been improved out of the map of London to make room for the Charing-Cross Railway Station. Let us enter a dingy lodging-house and mount four flights of dark and greasy stairs. The door facing the visitors is that of the back attic, or rather the back garret, for the room is nestled in the roof of the building and receives its light from a dormer-window. It is small; so is its rent —four shillings a week. The furniture consists of a low iron bedstead, two wicked-looking chairs, and a washstand; there are neither curtains nor carpet; a plain substantial table, covered with manuscripts and writing material, stands near the window. The mantel-piece accommodates a row of books, consisting of prizes won at school, in their showy bindings; a score of French novels, ragged and disreputable as their contents; a copy of Voltaire's Philosophical Dictionary; a Shakespeare and a collection of Cumberland's London stage, flanked by an earthenware pot of tea and a monstrous tea-cup.

Leaning at the open window, contemplating the vista of chimney-pots and disconsolate tiled roofs that spread away to the smoky horizon of Lambeth, sat the lodger in this Bohemian asylum. He was something older than a boy and younger than a man. His slim figure, broad in the shoulders, thin in the flank; his black hair and gray-blue eyes; his complexion, as fair as that of a girl, indicate the Irish race. The clock of St. Martin's neighboring church struck three.

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"Three o'clock!" he murmured; "the rehearsal must be over by this time. They told me this is the best time to see him. It shall be my last effort."

So saying, he slung himself into a pea-jacket, snatched his hat, and dived down the four flights of stairs. With swift steps, half in resolution, half in despair, he crossed the Strand, made his way up Bedford Street, along Henrietta Street, and into Covent-Garden Market. Crossing that filthy metropolitan nuisance, always reeking with rotting vegetable refuse, he sped round the block into the by-street in which was situated the stage-door of the old Covent-Garden Theatre. It looked like the vestibule of a prison. The stage-doorkeeper recognized him with a nod, half familiar, half sympathetic.

"Is the rehearsal over yet?" asked the visitor.

"Oh yes, an hour ago."

"Will you please take my name up to Mr. Charles Mathews?"

"It is all right," replied the janitor, glancing at the card. "Mr. Mathews has been expecting to see you since two o'clock."

The visitor stood agape.

"Did you not get the message?" continued the official.

"I? No!" stammered the youth, tingling all over with delight and astonishment. "When did he send?"

"An hour ago. Oh! here is his own man. I say, Williams, take this gentleman's name to Mr. Mathews, quick. Say Mr. Madison Morton is waiting."

Williams had vanished before the young man could gasp out: "No! It is a mistake. My name is Lee Moreton."

"Then why did you not tell me so?" growled the porter.

"You never asked me," retorted the boy, who stood for some moments irresolute. Then the situation burst upon him, and while he was laughing, in spite of his chagrin and disappointment, Williams reappeared.

"This way, sir, take care. The staircase is dark. Allow me to guide you." And up the dismal stairs and across the great gloomy stage they went, until they groped their way to a corridor into which several doors opened. At one of these the guide knocked discreetly, and, withdrawing aside, invited his companion to enter a comfortably-furnished room, half parlor, half office. Facing the fire sat a gentleman in a light-gray dressing-gown, faced with blue silk: his back was turned to the door by which

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his visitor had entered. He was reading a manuscript. Without raising his head he motioned the intruder with his hand to a chair.

"One moment, my dear Morton. Sit down. Not a word until I have finished this scene—just half a page."

The young man took the chair and waited the manager's leisure, rehearsing the apology he should make. At length Charles Mathews rose, and, putting aside the manuscript on the mantel-piece, took to poking the fire vigorously.

"Well, Morton, you have put plenty of fun and animal spirits into that farce of yours, but somehow it does not read like your work. I like the part you have written for me immensely."

"I beg your pardon, Mr. Mathews," began the youth timidly.

"Hollo!" exclaimed the comedian, turning round and scanning his visitor with amused wonder. "Who are you?"

"My name is Moreton, and by mistake I have been shown to your room. Allow me to explain how it happened"; and he did so.

Mathews laughed heartily at the blunder, and then, eyeing the youth with some curiosity, asked what he wished to see him about. Young Moreton told him that he had sent him a manuscript of a one-act piece some weeks previously, in the hope that he would find time to look it over; that he had called many times—he was ashamed to confess how many. Mathews listened with great patience and good-humor; then he answered that dozens of such works came in weekly and that he would get Mr. Planché or Mr. Bartley to look it up. Mr. Moreton had better leave the title of the play, and he (Mathews) would see it was returned to the author. As the manager said this, he walked to the desk in a manner to convey a dismissal. Moreton rose and, bowing, turned at the door, and said: "The title is 'A Lover by Proxy'."

"What!" cried Mathews, and returning quickly to the mantel-piece, he took up the manuscript he had been reading. It was the farce in question. "I see," said he quietly. "I see it is by L. Moreton, not by Madison Morton."

After a moment's reflection he continued: "And this is your work?"

"Yes."

"Sit down. What is your age?"

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"I shall be eighteen next month," replied the boy, coloring to the roots of his hair, for he now felt and understood the impudence of the intrusion.

"You do not look so old," remarked the comedian.

The boy added: "I was born on the 26th of December, 1822."

"The deuce you were!" cried Mathews. "Why, that is my birthday! That is singular. And you tell me you had no assistance in the composition of this play?"

"Yes, sir. I know it is full of faults."

"Stop," said Mathews, eyeing him with great kindness. "Tell me what you are and who you are."

"I am alone in London, desolate and penniless. I have clung to the hope of earning some livelihood rather than return to Dublin, to my family, who are not too well blessed with fortune. I am friendless. Perhaps you do not know what that means," and here my hero broke down like a school-boy; indeed, he was little more. The comedian put his hand on the lad's shoulder and pressed him back into the chair from which he was rising. Then, in the most delicate, generous, and affectionate manner, he placed before him all the trials, the heart-breaking failures, and poor returns a dramatic author must encounter. He urged him to adopt some other occupation. When he concluded, Moreton took his hand between both of his own and said that he would rather break his heart and starve than abandon a hope that filled him to the exclusion of every other feeling. If this failed, he did not care what became of him. Well—he had two brothers in Australia; he would go out there.

"I wish heartily," said the manager, turning away and looking moodily into the fire, "—I wish I could help you, but we are glutted with farces. What we do want now-a-days is a good five-act comedy of modern life. Now, if I could find such a part as you have sketched here in this farce, expanded in a modern comedy, there would be room for such a work, for we have had nothing of that kind for many years."

Then, after a pause, he resumed: "Well, in any case let me retain your farce. I would like my wife, Madame Vestris, to read it. Meanwhile, I must put your name on the free list of the theatre, and I hope you will avail yourself of the privilege frequently."

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With a full heart and a throbbing brain, the lad took his leave, but, hesitating a moment at the door, he turned and said:

"You have been good and kind to me, Mr. Mathews. I had no claim on your attention or on your sympathy; so I am the more grateful. Let me confess before I go that the name Lee Moreton is one I assumed when I appeared as an amateur in private theatricals. My name is Dion Boucicault. It does not matter much, but I don't like to wear any disguise with you."

"I see no reason for assuming any name but your own. I think it is the better one of the two."

The young man accepted the remark as advice, and from that moment shook off the silly incognito he had adopted.

Four weeks after this interview, Mr. Boucicault presented himself once more at the stage-door of the Covent-Garden Theatre and requested the porter to send up his name to Mr. Mathews, and again he was piloted into the room he remembered so well.

"Ah," said Mathews, who met him heartily, "I was wondering what had become of you. What can I do for you?"

The boy hauled a big roll of manuscript from under his coat, and, placing it on the table before the manager, said simply:

"There is the five-act comedy you wanted!"

"What comedy?" cried Mathews, bewildered.

"Well!" replied the lad, "I understood you to say that if you could find in a new five-act comedy a part similar to that I wrote for you in 'A Lover by Proxy,' there would be room for the production of such a work."

"Did I say so? Perhaps—yes, I think I did."

"Well, there is the comedy! I went home full of that little bit of hope you extended to me, and set to work with all my heart."

"Do you mean to say that you have written a new comedy in five acts since I saw you the other day?"

"Yes, such as it is. If you will read it, it will decide my future—one way or the other."

"Read it?" cried Mathews, heartily. "Of course I will! But pray do not build any hopes upon this venture. However, we have a little party next Sunday at our villa at Parson's Green. There will be Planché, John Cooper, Bartley, Madame [Vestris], and myself. We shall hold court over your offence! Good day."

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This was Thursday. How the young fool spent the following days, standing on the brink of destiny and looking into the abyss of life, is not to be described. He felt the agony of a lover awaiting the reply of his adored; of the culprit awaiting the verdict during the retirement of the jury! Oh, the exquisite pain of that suspense!

On Monday morning Bartley sent for him to come to his private room at the theatre. The youth hurried there with his heart in his mouth.

"Sit down, my dear boy," said the old comedian, regarding the lad as tenderly as if he had been his own son. "Let me at once lay your anxiety at rest. We read your comedy and Mr. and Mrs. Mathews think very highly of it. Indeed, so greatly are they impressed that it is their intention to put it into rehearsal at once. I tell you, candidly, I do not share in their raptures. The play is undoubtedly very clever—a wonderful work for a youth in his teens. But remember, our opinion is not that of the public. It is not a verdict. Accept it as an encouragement. Keep your head cool; do not be sanguine."

All this came upon the young fellow so suddenly, so unexpectedly, that he broke down, and tears—very boyish tears—filled his eyes. He apologized for his emotion, of which he felt ashamed.

"Don't," said the old man. "It does you credit. Have it out now, before you meet the management. Your comedy will require great alteration; be prepared for all kinds of wounds to your pride as an author. Like a young bear, all your troubles are about to begin."

So, putting his arm around the lad, he conducted him across the stage to the room of Madame Vestris—the monumental beauty of the period. Vestris at this time was verging on the wrong side of forty, but still retained her great beauty and ineffable grace. Planché, Cooper, and Mathews were there. Seeing that the newcomer was speechless and very awkward, she came to him, took him by the hand, and led him to a sofa, making him sit down beside her.

Oh! the sweetness of manner of those artists, their affectionate reception of a poor, unfriended boy, will never be effaced from his heart! They stooped to encourage and sustain him, for they saw how bewildered he was, how unable he felt to speak. He listened

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to these voices, so familiar to him on the stage. These people, whom he regarded with worship as the gods of his theatrical pantheon—was it possible they were tendering homage to him and receiving his humble self amongst them as somebody? Nay, it is a dream!

* * * * * *

A few day after this, the comedy was called for reading to the actors in the green-room of the theatre. The cast included Farren, Bartley, Anderson, Mathews, Harley, Keeley, Madame Vestris, Mrs. Nisbett, and Mrs. Humby. They were all there, stars of the first magnitude: no such group has ever since that time been assembled. The young author, with a trembling accent, proceeded to read his play. His audience, gathered round him, accompanied each act with profusion of applause, to give him courage. At the conclusion, Vestris, who sat beside him, rose, and, taking him in her arms, said:

"We cannot tell what reception your comedy may meet with; but the public cannot alter our opinion that it is a brilliant play, and that you will be numbered amongst the dramatists of the period. You have a future, and we are glad and proud to be interpreters of your first work."

The rest of the company crowded round him, with similar delighted assurances. Their applause was the first he ever enjoyed—and the sweetest—oh yes, the sweetest by far.

Alas! every one of those great artists—great hearts, gentle hearts, for without gentle and noble hearts they could not be the great artists they were—all are gone before! for I am sixty-six.

No! The heart and brain never grow old; and when I recall those events, those faces, I feel their hands in mine—I see their smiles—I hear their voices.

I am eighteen again!

* * * * * *

Intoxicated by the reception he had met with; petted by the loveliest group of women that ever graced the stage; elevated to the companionship of the great comedians of the day; brought into contact with the giants and critics of dramatic literature, Sheridan Knowles, Bulwer, Douglas Jerrold, Robert Bell, and a host of literary lights, the young author stood bewildered, but unable to overcome the latent suspicion that the whole fabric of this fairy palace would collapse like a vision, that there was no

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reality about it. In secret he studied his comedy and found it trivial, thoughtless, and unworthy of the esteem in which the actors held it. He awoke to the fear that the fraud would be discovered. So he lent himself with eagerness to the suggestions of the actors made during rehearsal. Scene after scene was rewritten at the prompt-table and handed wet to the company. Thus the last speech of the play, which is technically termed "the tag," was composed and handed to Max Harkaway. The next day, or on some subsequent day, Vestris took the author aside and said: "Farren wants to speak 'the tag.' I suppose you don't mind?"

"Well," said the author, looking up with his Irish smile, "will it not sound rather strange in the mouth of *Sir Harcourt Courtly?*"

"Oh, never mind—I am sure the public will not. Bartley does not object; in fact, he approves."

And so it stood.

* * * * * *

The first night—March 4, 1841—came to pass. The name of the author was unknown to the public; so a half-filled house assembled to witness the first performance of "London Assurance." The original title of the comedy had been "Out of Town." Vestris had changed that. So also in the *dramatis personæ* of the play *Sir William Dazzle* had been changed to *Sir Harcourt Courtly*, and the name of *Dazzle* was assumed by Charles Mathews, who played that part. The French method of occupying the stage with only one scene per act was, it is believed, introduced to the English stage on this occasion. But the extravagance of innovation was reached when the author suggested that a *carpet* should be used in the drawing-room.

"What next?" mumured John Cooper, the stage-manager. "He will be asking for real flowers and real sunlight in the garden."

We have had the real flowers since, and the lime-light has furnished a very respectable substitute for sunlight.

During the performance the woe-begone author wandered about the corridors of the house, for he had been warned off the stage by Madame Vestris, who said his presence would make the actors nervous. So he crept up to a back seat in the upper boxes, and there listened to his play. Oh, how slow it seemed! how bald. The first act provoked a little laughter here and there, and then

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he drew a breath. The beautiful stage-setting of the second act elicited the first round of applause. As the play proceeded he discovered Mark Lemon, Douglas Jerrold, and Gilbert à Beckett seated together in the front row of an adjacent box. He crept into the row behind them and tried to overhear their opinions of the piece. When the situation arrived at the end of this act, Jerrold turned to his companions.

"That is fatal," he observed. "He has reached his climax too early in the play. Nothing will go after that."

The public had, indeed, greeted the scene with the wild enthusiasm an English audience alone are capable of displaying.

Wellington never awaited the arrival of the Prussians at Waterloo with the pale anxiety that the appearance of *Lady Gay Spanker* and *Dolly* in the third act was waited for by that young dramatist. Nisbett came, she spoke, and conquered. She outranked herself. The hunting speech carried the house by storm. Jerrold, Lemon, and à Beckett rose in their seats and cheered. The pit seemed to boil over. Nothing was heard for several minutes. The author left the house. Up and down Covent-Garden Market, back and forth, he paced, not sensible where he directed his steps, until he found himself on Waterloo Bridge, seated in a recess, trying to cool his face by pressing it against the wet stone balustrade. It was raining, but he did not know it. Then there crept over him a dread that the end of the comedy might change the tide of success. He rose and crept back to the theatre; the fifth act was on; there was an ominous silence. Hush! who was speaking?

Sir Harcourt.—Charles, who is Mr. Dazzle?
Charles.—Dazzle? Well, I don't exactly know who he is. I say, Dazzle, excuse an impertinent question.
Dazzle.—Oh, certainly!
Charles.—Who are you?
Dazzle.—I have not the slightest idea!

The house shook with peal after peal of laughter at the inimitable manner of Mathews. And every fibre of the young author quivered responsively. In a few moments after this the curtain descended. The actors had responded again and again to the enthusiastic calls and recalls of the public, when a strange uproar commenced—a din amidst which it seemed impossible to discern what the audience wanted. In the midst of all this the

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author felt himself seized by some one, who cried, "Mr. Mathews is searching for you, sir, everywhere; please follow me at once"; and presently he found himself behind the scenes, standing at the prompt entrance.

"Come," said Mathews, "don't you hear the public? They are calling for you!"

"For me?" he stammered. "What for?"

Mathews caught the boy by the arm; Bartley pushed him forward, and he found himself suddenly in the presence of the audience. He could see nothing but the glare of the footlights; could hear nothing but the tumult of the multitude. After escaping from this ordeal he stood amid the crowd of actors in the green-room, and, looking round upon their beaming faces, he stammered out something very incoherent to each of them. Mathews led him forward to where Mme. Vestris and Mrs. Nisbett sat.

"There!" cried the comedian. "Does their presence not inspire you to speak? What do you say to your heroines?"

The boy looked from one to the other and said: "Will you kiss me?"

And they did.

"The boy has recovered his presence of mind," remarked Mathews.

That is all!

I cannot believe it was so long ago!

DION BOUCICAULT.

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PLEAS FOR COPYRIGHT.

BY GEORGE HAVEN PUTNAM.

In the March number of this Review, the Hon. George S. Boutwell, in an article entitled "Common-Sense and Copyrights," undertakes to show, first, that an international copyright will work to the disadvantage of the American public, and, secondly, that it is not required by any considerations of justice or equity. He mentions that the adoption of such a system "will necessitate the paying of increased prices for books, which will constitute a legalized system of taxation, the benefits of which will inure chiefly, if not exclusively, to persons who are not citizens of the United States." He believes that there would be more than three times as many American readers of English books as English readers of American books, and says: "Can we afford to pay three dollars to English authors, in order that American authors may receive one dollar from the reading public of Great Britain?"

Mr. Boutwell further contends that an international copyright is not required for the interests of American authors, because the more noted are already "amply compensated by their monopoly of the American market," while the works of the others, comprising the majority, "could, in any case, not find sale in Great Britain." The many American authors who have attained an honorable position in literature, and who are, nevertheless, unable to secure from the sale of their books the annual equivalent of a book-keeper's salary, may be inclined to question Mr. Boutwell's estimate of what constitutes "ample compensation." He does not admit that American authors have any ground for consideration under the principles of the protective system, because this "monopoly of their home market is all that any producers can demand." Mr. Boutwell fails to find any considerations of international justice or of international expediency adequate to offset the above

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specified material objections to the proposed measure. He puts the inquiry, "When the author has sold his work and has received payment therefor, is it a crime in the purchaser to reproduce that book?" and replies: "Of course not, unless the act has been made a crime by law; for there can be no crime in such an act *per se*." There is at present, he explains, no law to prevent such reproduction of English books in the United States, and the proceeding cannot, therefore, be characterized as a crime. He compares it to the carrying of goods from one country to another country between which there are no customs regulations. "Such an act," he says, "has no moral quality in it."

Let us first give consideration to his conclusions on the ethical point. Thirty years ago an American travelling in Europe found himself troubled, and his national pride mortified, by continually meeting expressions of opinion concerning the barbarism of the American institution of slavery. With this serious blot on their civilization, the United States were spoken of as having a standard of National conduct below that of the other nations of the civilized world, with which such an institution had long been a matter of ancient history. It was useless for any individual American to defend himself by explaining that he belonged to New York or to Massachusetts, where slavery was no longer tolerated. He could not escape his share of the responsibility of the National sin, and was obliged to hear his beloved "Land of the Free" classed with Turkey or the Barbary States. Whatever progress we had made or whatever enlightenment we had secured in other directions, in this matter of holding on to a relic of barbarism which the rest of the civilized world had discarded, we had placed ourselves, or had left ourselves, outside the pale of civilization. In what consisted our crime? We were breaking no law, national or international, for we had no international conventions or comities with Africa. The fact, however, that we were appropriating, without payment, the results of African labor, and that our American law rendered possible, and even legalized, such injustice, gave just cause for the condemnation of Europe.

To-day the American in Europe has fresh cause for mortification in continuing to hear the United States stigmatized as still, in one important respect, "outside the pale," and in being asked to explain why our National standard of morality should lag half a century behind that of the other literature-producing nations.

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The ground for this present charge is that we are appropriating, without payment, the results of English labor, and that we maintain a system of law which legalizes such appropriation. In one respect, the present method of appropriation is even less defensible than that practised under the slavery system. The slaves received at least a living for their labor, if only because it was for the interest of their masters that they should continue to live. But Mr. Boutwell, and those who agree with him, contend that any payment whatever to these English laborers, whose work we are enjoying, would be an injustice to the American people. Mr. Boutwell should remember that, as mankind progresses, its standard of ethics grows higher, and in no respect has the development been more marked than in the furthering of wholesome international relations, and in the recognition of the possibility of "foreigners" having rights which natives are bound to respect. The old-time feeling of home patriotism—as expressed by "Who's that, Bill?" "A stranger." "Then 'eave a brick at 'im"—doubtless still exists in remote villages, but is assuredly far less bitter between nations than it was a century ago. Such an expression would, however, apparently still hold good for the United States, if the stranger happened to be an author, only, before "'eaving the brick," we should, under the existing system, pick his pockets.

Mr. Boutwell may say that it is possible to pay too much attention to the opinions and criticisms of Europe, and that America is as competent to fix its own standard of international ethics as to make seventy-four cents of silver equal to a gold dollar; and if the statement were so framed, it might even be possible to agree with it. But, after all, the attempt with the "buzzard" dollar is a matter of purely domestic significance, as we do not undertake to enforce upon Europe our peculiar system of National arithmetic. Questions of international relations, however, cannot be decided in any such off-hand domestic manner, but require, for a fair and trustworthy consideration, the opinion of some party not directly concerned in the question at issue. When, therefore, we Americans find that in this matter (mainly, as said, between ourselves and England) the consensus of European opinion is entirely against us, while we may not be bound to accept at once this verdict as final, it is certainly sufficient to cause us to examine carefully whether there be any

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satisfactory defence for the peculiar position held by the United States.

Mr. Boutwell quotes the wording of our present Copyright Act, and appears to believe that, if American citizens fulfil the obligations imposed upon them by American law, all proper requirements have been met. But it is the contention of Europe that, in this matter of the recognition of literary property, American law is shamefully inadequate, and is half a century or more behind the present standard. Is it not always true that a sense of the injustice to be remedied must precede the enactment of law, and is it not time that our National law-makers recognized that our National law was legalizing injustice?

In the early part of the present century, the Barbary States were carrying on *their* little system of piracy. It was impressed upon them that the rest of the world had outgrown piracy and would no longer tolerate it; but the Barbarians took the very plausible ground that other nations had practised piracy until quite recent times; that it was not contrary to the domestic law of Algiers, Tripoli, and Tunis; that, if they relinquished the plunder brought in by their freebooters and the advantage of the labor of their Christian slaves, their means of education in "the arts of civilization" would suffer; that for such European wares as they might still continue to use they would have to pay three rupees, where Europe took goods of but one rupee's value from them; and, finally, that they did not care for the opinion of Europe, anyhow. Whereupon the Barbary seaports were, very properly, bombarded by the vessels of the states whose citizens they had been plundering, until the Barbarians decided that they *did* care for European opinion, and concluded to abandon piracy. In the work of bringing these backward States up to a proper standard of morality in their international relations, our country, it may be remembered, took a creditable part.

The provisions of the International-Copyright Convention framed at Berne, in 1887, have been approved, with hardly an exception, by the several states of Europe, and the list of signers even includes the representatives of Hayti, Liberia, and Tunis. In this latest crusade for the suppression of piracy, little Tunis is, therefore, far in advance of the Great Republic.

Mr. Boutwell contends that no actual injury is done to the foreign author by the American reprinters, because such author

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retains his home market, and the inducements of that market must have been sufficient, or the author would not have written. I answer that, according to justice, the amount of the author's compensation should be proportioned to the extent of the service he has rendered and to the number of persons upon whom he has conferred benefit or pleasure; and the fact that he might have been willing to expend his labor, and to produce a given result, for a smaller compensation, does not free from obligation any who have been benefited by this labor and who have failed to make return for the benefit. If the Englishman, Freeman, were giving a lecture in Mr. Boutwell's home town of Groton, I do not see why, on the principles set forth by the latter, he would not feel justified in securing his own admission to the lecture-room at a lower price than the regular fee, by purchasing a bogus ticket from a curb-stone speculator. Professor Freeman would, on Mr. Boutwell's contention, have suffered no actual loss, for no property would have been taken from him, and the fact that the sound of his voice reached the ears of Mr. Boutwell as well as of those of the more conscientious citizens of Groton who had paid full price for their admission, could not cause the lecturer any injury. Then, in any case, Freeman is only an Englishman, and our Government is under no obligations to protect an Englishman's income, even if he is doing a service to American citizens.

It has taken some centuries of literary labor to bring the world to a recognition of intellectual productions as property, and of authors as entitled to the same protection for their property as that accorded to other classes of producers. The fact that ideas, expressed in literary form, constitute a product, and that the author whose labor has formulated these ideas has a property-right in the result and is, in equity, entitled to a compensation from each person deriving benefit from such result, has, however, gradually gained general acceptance; so that, in all the literature-producing countries, the authors have, during the past century and a half, enjoyed the protection of domestic copyrights. The next step was logically inevitable. If such a property-right existed in an intellectual production, it could not with any propriety be abrogated by or limited by a political boundary. The recognition of this contention has been given in the various international-copyright treaties between the different countries of

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Europe ; the earliest being that between Prussia and Wurtemberg in 1837, and the latest, representing a most substantial triumph for the principle, the great convention of 1887, already alluded to, which was held at Berne, and which may be said to have formulated an international law of literature for Europe.

Mr. Boutwell is a cordial supporter of the protective system, which is, for the present, accepted as our National policy; but he contends that "protection" has nothing to do with copyright. Why not? inquires the American author. Is it not one of the avowed objects of protection to save the American producer from being competed with to his disadvantage by the "pauper labor" of Europe? Can Mr. Boutwell point out, in the list of American producers, for whose interests the protective system assumes to care, a single one whose products are brought into competition with articles which, as far as this country is concerned, are as directly the work of "paupers" as are the appropriated books of English authors? However poverty-stricken the labor which has produced Chilian wool or English pig-iron, it must have received *some* payment for its product; and even if there were no tariff-tax to increase the cost of such imported wool or iron, the Ohio farmer or the Pennsylvania miner would, at the worst, have had a low-priced article, and not a "no-priced" article, to compete with. But an American book of a certain class must find sale in the face of a similar English book, the literary portion of which is a "no-priced" article—that is, an article for which nothing whatever has been paid to the producer. Under the pressure of such competition, the American writer of this class of books must, if he is a first-class man, accept a reduced and often an entirely inadequate return for his labor; and if he is a less capable man, or a beginner whose capacity is still to be proved, he may often sacrifice his labor for no return at all. Under the present system, which Mr. Boutwell believes should be retained, the American author, whose home market has thus been cut from under his feet by the "pauper labor" of England, is estopped from obtaining in England the proceeds which honorable English publishers would be glad to pay him, because our Government has thus far refused to take the steps necessary to secure for him the protection of English law.

Mr. Boutwell himself points out, in connection with his "three-dollars-for-one" argument, that the extent of the literary produc-

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tion of this country is "not creditable to us as a literary people"; but it does not seem to have occurred to him to inquire the reason for the difficulty. Mr. Lowell, Mr. Stedman, Mr. Eggleston, and other authors who have given study to the matter, could have explained to him that the most important obstacle in the way of the wholesome development of American literature is the absence of an international copyright. The comparatively slow development of American literature from the colonial stage, in which it simply leaned upon or imitated the trans-Atlantic models, is, according to these excellent authorities, largely due to the fact that English books, good, bad, and indifferent, have, under the present system, been practically forced upon American readers. The American writer asks for no bounty, and for no privilege of taxing his competitors. He simply demands a fair field, equal conditions, and no favor.

I now come to what Mr. Boutwell would probably call the practical part of the question,—the consideration, namely, of the price that our people would have to pay for the privilege of practising the same standard of international morality as that accepted by the trans-Atlantic world; not only, it may be remarked, by Liberia and Tunis (where, as I frankly admit, the copyright question can, at present, possess little more than a theoretical interest), but by Belgium and Switzerland and the other book-reading countries of Europe, in most of which the commercial considerations are of very grave importance indeed.

Mr. Boutwell places first in his discussion of the subject this matter of the probable cost to our country. To me, however, it seems to be properly the second thing to be considered. I feel assured that when the American people, who are believers in fair-play, have once convinced themselves that they are doing an injustice to foreign authors, to American authors, and to their own good repute, they will be ready to remedy that injustice, even though they may have to pay something for so doing. It is very satisfactory, notwithstanding, to be able to assure the opponents of copyright, who are anxious about the question of cost, that in this case we shall not only have nothing to pay for the privilege of being honest, but we shall actually secure a "net profit" from such action.

The testimony presented last spring, when hearings on the pending bill were granted by the committees of the Senate and

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the House (testimony which has been in no respect controverted), showed that, taking literature as a whole, American book-buyers will secure their reading-matter cheaper under an international copyright than under the present "general scramble" system of publishing. The supporters of the copyright measure contend that it will have the effect of lessening the price of all the better classes of books, which are of the most importance for the higher education and cultivation of the people, and of increasing the supplies of these, and that the only publications which will be at all increased in price are the cheapest issues of foreign fiction. In support of these conclusions I submitted to the Judiciary Committee of the House certain considerations, of which I here give the substance:

First.—The conditions of literature now in existence can, of course, not be affected by any copyright measure, as no such measure could be made retroactive, and there is, therefore, no foundation for the vague assertion, which has occasionally been made, that "the people are to be asked to pay more for their Macaulay and Tennyson."

Second.—It is to be remembered that the so-called "libraries" which have been supplying foreign novels at fifteen and twenty cents, after exhausting the books really worth reprinting, and after including in their lists (under the necessity of a periodical issue) a large mass of indifferent and undesirable material, by no means deserving the attention of American readers, are now, in great part, being discontinued, partly because of the exhaustion of reprintable material, and partly, also, because they are *no longer profitable undertakings.* One reason why these "libraries" are proving unremunerative is, unquestionably, because of a change in the taste and in the judgment of buyers of books, who are beginning to understand that they secure better value in paying fifty cents, or seventy-five, for a decently-printed volume that can be preserved for the use of a number of readers, than in expending fifteen or twenty cents for a flimsy quarto, fit only to be thrown away after one reading.

Third.—A material waste of outlay is incurred, an outlay from which there is benefit for no one, in the manufacturing and advertising of four or five competing editions of a foreign work. The type-setting and stereotyping of each of the five cheap editions now on the market of "Robert Elsmere" have cost about $400, and the outlay for advertising each edition has probably not been less. There has been also a similar quintupling of expense in the time given by the respective travelling salesmen in drumming for orders among the booksellers. Mr. Boutwell is clear in his mind that any payment made to the English author must come out of the pockets of the American book-buyer. Is it not evident, however, that, if the authorized publishers had been left in control of the sale of a single popular edition of "Robert Elsmere," there would have been a saving of from $2,500 to $3,500 of these needless outlays incurred on the four competing editions, which sum could have been paid to Mrs. Humphry Ward, without bringing upon the American reader a single penny of the "taxation" which Mr. Boutwell considers so objectionable? The question might be raised whether, if they had such control of the market, the publishers would have provided any popular edition at all. I answer, Certainly; not because they are philanthropists, but because, as business men, they would not fail to print their books in the form which was best suited for the American market, and which, as experience has shown, would bring the largest return to themselves. "Barriers Burned Away" and "The Leavenworth Case" are

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American copyright books, each controlled by a single firm, but of both of these books, while they were in the full tide of their success, popular editions were issued, retailing at twenty cents a copy. The publishers of "Robert Elsmere" happen also to be the publishers of Bryce's "American Commonwealth," and this last they are able, thanks to certain chapters by American collaborators, to control for the American market. They have, nevertheless, not failed to provide this market at once with a popular edition selling at one-half the price of that issued in England; and a very moderate price it is for the material offered.

Fourth.—A large number of important English and Continental works, American editions of which would prove of material service to American students and readers, it is not practicable, under the present state of things, for American publishers to undertake to reprint at all, as in case their reprints are favorably received, any prospect of profit from these is promptly destroyed by the competition of rival and unauthorized editions, which secure the advantage of their literary judgment and their advertising. Such American readers as are obliged to purchase this class of works must, as a result, pay the cost of the expensive and often unsuitable foreign editions, while (as such editions cannot be adequately advertised) a large number of readers to whom such books would be of service are never even made aware of their existence. An immediate result of an international copyright would be the reprinting of inexpensive editions, suited for the wants of a large circle of impecunious buyers, of a number of European works now brought into this country only in expensive "limited" editions.

Fifth.—An international copyright will render practicable a large number of international undertakings which cannot be ventured upon without the assured control of several markets. The volumes for these international series will be secured from the leading writers of the world, American, English, and Continental, and the compensation paid to these writers, together with the cost of the production of illustrations, maps, tables, etc., will be divided among the several editions. The lower the proportion of this first outlay to be charged to the American edition, the lower the price at which this can be furnished; and as the publisher secures the most satisfactory returns from large sales to a wider circle, the lower the price at which it *will* be furnished. It would, perhaps, not be quite correct to say that these international series would be cheaper than at present, for there are, as yet, but few examples of them, but it is the case that, by means of such series (only adequately possible under international copyright), American readers will secure the best literature of contemporary writers at far lower prices than can ever otherwise be practicable.

Mr. Boutwell, and those who think with him, usually speak as if the flow of literature was something produced by nature, and which could be depended upon to give about the same quantity and quality of annual supply, whatever the attending conditions, and irrespective of the extent of the inducement offered to those concerned (under nature) in the production. So far, however, is this from being the case, that a very large and increasing proportion of the most important publications of each year are produced only at the instance of the publishers, and would never come into existence at all if it were not for the planning and the outlay of the publishers. Examples of this class of literary undertaking are afforded by the "American Statesman Series," the "International Science Series," the "Story of the Nations Series," and many others,—works which are practically the joint creation of

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publishers and authors. The production of this class of literature, which now goes on under special difficulties, and which is, nevertheless, of the first importance for that "higher education of the community" that Mr. Boutwell is anxious about, would be very materially furthered by international copyright. It is as reasonable for the community to expect publishers to risk labor and capital in literary undertakings which they are not to be allowed to control, as it would be to expect builders to place substantial structures on ground to which no title could be given, and in which structures, when completed, the law of the community authorized any who so desired, to live free of rent.

Sixth.—The higher prices of current English books are cited as examples of what American readers would, under a copyright, be compelled to pay for American editions of similar works. It is, however, easy to show that the selling price of books depends, not upon the conditions of copyright, but upon the requirements of the market. Books are first issued in England in the high-priced editions because, under the English system, the first demand for new publications is largely through the circulating libraries, which have encouraged the maintenance of prices sufficiently high to hinder the buying of books. There is also the further reason that in England readers and buyers of books belong in much larger proportion to the wealthy classes than is the case in the United States. In France and Germany, on the other hand,—countries fully under the control of copyright, both domestic and international,—the first issues of standard and current publications, both copyright and non-copyright, are cheaper than anywhere else in the world. In Paris, for instance, a beautifully-printed and beautifully-illustrated edition of such a book as Daudet's "*Tartarin dans les Alpes*" is published at seventy cents, and this is one example of many. In Berlin, we find such series as "*Das Wissen der Gegenwart*," "The Knowledge of the Present," issued in handsomely-printed, well-illustrated and neatly-bound volumes, of which sixty-two are now ready, selling at one mark (twenty-five cents) each. The works in this series are written especially for it by the leading scholars and scientists of the continent, and this series is one of many. It is also the case that, since the establishment of international copyright between the different states of Germany and the several countries of Europe, there has been a steady decrease in the prices in these countries of standard and current literature, copyright as well as non-copyright, and a marked impetus has been given to publishing undertakings of service to the community.

As Mr. Brander Matthews has well pointed out, the cheapest books to be bought to-day in the United States are mostly inferior stories by contemporary English novelists, while the cheapest books to be bought to-day in Europe are the best works by the best authors of all times. In America, where the system, or lack of system, of "open publishing" prevails, the cheapest books are the least important and often the less desirable. In Europe, where international copyright is in force, *the best books are the cheapest.* The absence of international copyright encourages bad books or poor books, and discourages good books. Such exam-

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ples show that the selling price of a book depends, not on the copyright, but on the extent of the market that can be assured for it. Without an international copyright, no assured market is possible, and no low-priced international series can be planned or prepared for American readers.

Seventh.—A reduction can also be looked for in the selling price of certain lines of American fiction and other current literature. Under the present "cut-throat" competition, the publishers of the works of such authors as Howells, James, Aldrich, Bret Harte, and other leading American writers have practically given up the attempt to compete with the unpaid-for reprints of foreign writers. Knowing that they can depend upon certain (comparatively limited) circles of readers, they find it to be more profitable to obtain from these readers the highest prices they are willing to pay. When, on the other hand, the foreign works are put on the same footing as those of American writers, the publishers of the latter will find it to their interest to plan for the widest popular sale, and for this purpose will at once issue their books at popular prices. The possibility of exporting stereotype plates or editions of standard American works will also lessen the proportion of first outlay to be charged to the American edition, and will enable this to be sold profitably at lower prices than would otherwise be practicable. An example of the advantage given to the American buyer by such an export arrangement is afforded by the great Latin dictionary lately published by the Harpers. Duplicate plates of this were sold by the publishers for the edition issued by the Clarendon Press, in Oxford, and the saving secured from the proportion of the type-setting and editorial outlay charged to the English edition, has enabled the American publishers to sell the book in this market much more cheaply than would otherwise have been practicable.

To summarize: The selling price of books depends, not on the copyright, but on the requirements of the market, and the extent of the market that is controlled by the author and his representative. American buyers are accustomed to cheap books, and will not buy a dear book, and the publishers are not likely to throw away their money by making dear books for which they could not find a sale. The wider the market and the greater the number of editions between which the first outlays can be divided, the smaller the cost of each edition and of each copy, and the lower the price at which each copy can be and will be supplied. With assured markets, and with an assured control to authors and publishers of the result of their literary undertakings, there will be a greater increase in the publication of international series, which will provide for American readers, at the lowest prices, satisfactory editions of the works of the leading writers of the world, American, English, and Continental.

The pending Copyright Bill was introduced in the Senate by Senator Chace, of Rhode Island, a Republican and Protectionist, who has for years done most earnest and effective work in behalf

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of the desired reform, and who has been its acknowledged leader in Washington. His resignation from the Senate, just announced, will be a very serious loss to the cause, but when the reform has been secured, his unselfish and effective service will not be forgotten. The bill was introduced in the House by W. C. P. Breckinridge, of Kentucky, a Democrat and a Revenue-Reformer, who has been cordially interested in attempting to secure the enactment of the measure for which another Kentucky statesman, Henry Clay, was working fifty years ago. The bill was passed in the Senate by a vote of thirty-five to ten, and fully two-thirds of the House were recorded as in favor of it. A small group of filibustering opponents was, nevertheless, able, under the peculiar rules of the House, to prevent the consideration of the measure during the session which has just closed. The responsibility for its enactment will now rest with the Fifty-first Congress, and it is hoped that, under a wholesome pressure of public opinion, the bill may this year become a law, and, after half a century of effort, our country may at last be freed from this long-standing reproach.

GEORGE HAVEN PUTNAM.

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THE CHINESE MUST STAY.

BY YAN PHOU LEE.

No nation can afford to let go its high ideals. The founders of the American Republic asserted the principle that all men are created equal, and made this fair land a refuge for the whole world. Its manifest destiny, therefore, is to be the teacher and leader of nations in liberty. Its supremacy should be maintained by good faith and righteous dealing, and not by the display of selfishness and greed. But now, looking at the actions of this generation of Americans in their treatment of other races, who can get rid of the idea that that Nation, which Abraham Lincoln said was conceived in liberty, waxed great through oppression, and was really dedicated to the proposition that all men are created to prey on one another ?

How far this Republic has departed from its high ideal and reversed its traditionary policy may be seen in the laws passed against the Chinese.

Chinese immigrants never claimed to be any better than farmers, traders, and artisans. If, on the one hand, they are not princes and nobles, on the other hand, they are not coolies and slaves. They all came voluntarily, as their consular papers certified, and their purpose in leaving their home and friends was to get honest work. They were told that they could obtain higher wages in America than elsewhere, and that Americans were friendly to the Chinese and invited them to come. In this they were confirmed by certain provisions in the treaties made between China and the United States, by which rights and privileges were mutually guaranteed to the citizens of either country residing in the other. No one can deny that the United States made all the advances, and that China came forth from her seclusion because she trusted in American honor and good faith.

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So long as the Chinese served their purposes and did not come into collision with the hoodlum element afterwards imported to California, the people of that State had nothing to complain of regarding them. Why should they, when, at one time, half the revenue of the State was raised out of the Chinese miners? But the time came when wages fell with the cost of living. The loafers became strong enough to have their votes sought after. Their wants were attended to. Their complaints became the motive power of political activity. So many took up the cry against the Chinese that it was declared that no party could succeed on the Pacific coast which did not adopt the hoodlums' cause as its own. Supposing that no party could succeed, would the Union have gone to ruin?

Those who remember events of some thirty-five years ago will see nothing strange in the antagonism of one class of laborers to another. Opposition to the Chinese is identical with the opposition to the free immigration of Europeans, and especially of the Irish; for it was once urged against the trans-Atlantic immigrants that their cheap labor "would degrade, demoralize, and pauperize American labor, and displace intelligent Americans in many branches of employment." There was a bitter conflict, but the sensible view prevailed. For it was found that a greater supply of unskilled labor made it possible for skilled laborers to command higher wages and more regular employment.

Why is it that the American laborer was soon raised to a higher social and industrial plane, and ceased to fear Irish competition, while the Irish still dread the competition of the Chinese? It is simply because the Irish are industrially inferior to their competitors. They have not the ability to get above competition, like the Americans, and so, perforce, they must dispute with the Chinese for the chance to be hewers of wood and drawers of water.

Such industrial conflicts occur every day, as, for instance, between trade-unionists and scabs, Irish and Germans, Italians who came yesterday and Italians who come to-day. Let them fight it out by lawful means, and let the fittest survive; but you do not take the side of one against the other,—least of all, the side of the strong against the weak. Why, then, take the side of the European immigrants against the Chinese? But you say there are many objections against the latter which cannot be made

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against the former, and the Chinese stand charged with too many things to make them desirable. Ah, yes! I see. But it is only fair to look into these charges before we pass our judgment. It has been urged:

I. *That the influx of Chinese is a standing menace to Republican institutions upon the Pacific coast and the existence there of Christian civilization.*

That is what I call a severe reflection on Republican institutions and Christian civilization. Republican institutions have withstood the strain of 13,000,000 of the lower classes of Europe, among whom may be found Anarchists, Socialists, Communists, Nihilists, political assassins, and cut-throats; but they cannot endure the assaults of a few hundred thousands of the most peaceable and most easily-governed people in the world!

Christianity must have lost its pristine power, for, having subdued and civilized one-half the world, it is now powerless before the resistance of a handful of Chinese! Surely the Chinese must be angels or devils! If angels, they would go without your bidding. If devils, you would not be able to drive them out.

The argument advanced against Chinese immigration by some members of Congress is substantially this: "China has a starving (!) population of 400,000,000; she can spare 10,000,000 easily. It costs only $60—a mere trifle—to come over here. Therefore, as Senator Sargent declared, 'the Pacific Coast must in time become either American or Mongolian.'" The beauty of this argument will strike you at once, if you reflect that the Chinese are not a migratory people; that hardly 1,000,000 have left the country by sea in 100 years; that even to adjacent provinces their migrations have been limited; and that the disposition to lead a life of adventure is peculiar to the people of Canton and its outlying districts.

Moreover, the ten cents per day earned by a *starving* population, though sufficient to buy all the necessaries of life, will not warrant a saving of more than $3 per year. At that rate, how many years will a man require to enable him to save enough for his passage?

II. *That the Chinese have a quasi-government among themselves.*

If I deny this, perhaps you will not believe me. Allow me to quote the testimony of a man of irreproachable character, the

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Rev. Dr. William Speer, who wrote to the New York *Tribune* that the Six Companies, credited with the government of the Chinese colony, were purely benevolent associations, and that he had frequently attended their meetings, and could, moreover, speak from many years' experience as a missionary in China. It is a significant fact that the minister of the Gospel, who knew all about the subject, was not believed before howling, ignorant demagogues. It was laying a premium on ignorance.

III. *That the Chinese race seems to have no desire for progress.*

In the last fifteen years the Chinese Government has educated upwards of two hundred students in Europe and America, has built arsenals and navy-yards, established schools and colleges on Western models, disciplined an army that whipped the Russians, created a navy that would put the American navy to shame, put up thousands of miles of telegraph wires; and it is now busily opening up mines, building railroads, and availing itself of American capital and experience to put up telephones and establish a national bank. The Chinese are not ashamed to own that they appreciate the Americans.

IV. *That the Chinese have displaced white laborers by low wages and cheap living, and that their presence discourages and retards white immigration to the Pacific States.*

This charge displays so little regard for truth and the principles of political economy that it seems like folly to attempt an answer. But please to remember that it was by the application of Chinese "cheap labor" to the building of railroads, the reclamation of swamp-lands, to mining, fruit-culture, and manufacturing, that an immense vista of employment was opened up for Caucasians, and that millions now are enabled to live in comfort and luxury where formerly adventurers and desperadoes disputed with wild beasts and wilder men for the possession of the land. Even when the Chinaman's work is menial (and he does it because he must live, and is too honest to steal and too proud to go to the almshouse), he is employed because of the scarcity of such laborers. It is proved that his work enables many to turn their whole attention to something else, so that even the hoodlum may don a clean shirt at least once a month. You may as well run down machinery as to sneer at Chinese cheap labor. Machines live on nothing at all; they have displaced millions of laborers; why not do away with machines?

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Besides, are you sure that Chinese laborers would not ask more if they dared, or take more if they could get it?

It is the Chinese who are constantly displaced by Caucasians. As soon as an industry gets on its feet by the help of Chinese "cheap labor," Chinese workmen are discharged to make room for others.

V. *That the Chinese do not desire to become citizens of this country.*

Why should they? Where is the inducement? Let me recite briefly a few of the laws and ordinances which, though couched in general terms, were made for their special benefit.

The Foreign-Miners' License Law, which forced every Chinese miner, during a period of twenty years, to pay from $4 to $20 per month for the privilege of working claims which others had abandoned.

An act of the California Legislature, 1855, laid a tax of $55 on each Chinese immigrant.

Another, 1862, provided (with a few exceptions) that every Chinaman over eighteen years of age should pay a capitation-tax of $2.50.

A San Francisco city ordinance, passed March 15, 1876, provided that all laundries should pay licenses as follows: those using a one-horse vehicle, $2 per quarter; two horses, $4; no vehicle, $15. This is discrimination with a vengeance!

I maintain that a sober, industrious, and peaceable people, like the Chinese, who mind their own business and let others do the same, are as fit to be voters as the quarrelsome, ignorant, besotted, and priest-ridden hordes of Europe. Are you sure the Chinese have no desire for the franchise? Some years ago, a number of those living in California, thinking that the reason why they were persecuted was because it was believed they cared nothing about American citizenship, made application for papers of naturalization. Their persecutors were alarmed and applied to Congress for assistance, and the California Constitution was amended so as to exclude them.

In view of the above-mentioned evidences of the fostering care of the State of California, you will not be surprised that very few ventured to bring their families to America. Many would have brought their families over, if they could have been assured of protection.

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VI. *That the Chinese live in filthy dwellings, upon poor food, crowded together in narrow quarters, disregarding health- and fire-ordinances.*

The Chinaman does not object to dainty food and luxurious lodgings. But the paternal government of California taxed him as soon as he came ashore; permitted its agents to blackmail him at intervals; made him pay $15 a month for carrying his customers' washing in his hand; levied a progressive poll-tax, without providing a school for him; a road-tax before he began to travel, and, when he went to the mines, collected a water-rent of thirty cents a day, and a progressive license-tax from $4 to $20 per month. Even if he earned five dollars a day, he could not have fifteen cents left to live on.

Sensible people will, perhaps, ask, Why do you permit the Chinese in your city to disregard health- and fire-ordinances? Is it not the business of the municipal authorities to punish such infractions of the law? Must the Nation compromise its honor and disregard its treaty obligations because the officials of your city neglect their duty?

VII. *The Chinese neither have intercourse with the Caucasians nor will assimilate with them.*

Yes, just think of it! As soon as the ship comes into harbor, a committee of the citizens get on board to present the Chinaman with the freedom of the city (valued at $5). A big crowd gathers at the wharf to receive him with shouts of joy (and showers of stones). The aristocrats of the place flock to his hotel to pay their respects (and to take away things to remember him by). He is so fêted and caressed by Caucasian society that it is a wonder his head is not turned (or twisted off).

In spite of such treatment, the Chinese will keep "themselves to themselves" and snub the American community. Did you know that the Jews accused the Samaritans of refusing to have intercourse with them?

VIII. *The Chinese come and go as pagans.*

Mr. Beecher said in reference to this charge: "We have clubbed them, stoned them, burned their houses, and murdered some of them; yet they refuse to be converted. I do not know any way, except to blow them up with nitro-glycerine, if we are ever to get them to heaven." In spite of these doubtful inducements to become Christians, more than 500 have been admitted to the church.

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IX. *That the Chinese immigrants are mostly criminals.*

It is not true. I admit that we have a criminal class in China, but the few that got over here came through the neglect of the officers of the Custom-House to enforce the laws.

In 1860 the population of California was	379,994
" " Chinese population in California was	34,933
The whole number of prisoners was	516
" " " " Chinese prisoners was	28

While the Chinese population was one in ten, their quota of criminals was only one in eighteen; and that, too, when judges and juries were more or less prejudiced against them. Every fair-minded man can testify that the Chinese are the most law-abiding people in the community, that they are not easily provoked, but are patient (oh, too patient!) under insult and injury. They seldom appear in court-rooms in the character of prisoners. You have never seen one drunk in your life. But, you say, he smokes opium. That, I answer, is his own affair. The law provides no penalties against private vices. You have never heard of Chinamen who organized strikes, stuffed ballot-boxes, and corrupted legislation at the fountain-head. Why, then, are they not as desirable as other immigrants? Is it a crime to be industrious, faithful, law-abiding? wrong to coin one's honest toil into gold, and, instead of wasting one's earnings in drink and debauchery, to support wife and children therewith? This brings me to the next charge.

X. *That the Chinese drain the country annually of large sums.*

Indeed, the California Senate, in its memorial to Congress, November 15, 1877, said that there were 180,000 Chinese in California. The statistics of the Custom-House and the best authorities said there were (in 1877) only 104,000 in the whole country. Of course, while there were only 104,000 in the United States, there were 180,000 in California! The part is greater than the whole. The memorial also said that the 180,000 Chinese drained the country of $180,000,000 annually. Isn't that enough to frighten anybody? Now, 180,000 Chinese sent home on an average $1,000 apiece. Each must have earned $1,250 per year; that is, about $4 per day. You call that cheap labor? Two dollars and fifty cents is fair wages for Caucasians there. You must not think that the august Senate of California meant to lie. Califor-

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nians are only slightly given to exaggeration. I will now answer the last and most terrible charge.

XI. *That the Chinese bring women of bad character to San Francisco, and that their vices are corrupting the morals of the city.*

How serious a charge this is we cannot realize until we get at all the facts. Just imagine California, the most virtuous of States, and San Francisco, the most immaculate of cities, lying helpless under the upas-tree of Chinese immorality! Have you ever been to San Francisco? Unless you can endure paradise and Eden-like purity, you would better not go there. Why, the Sabbath stillness in that city is simply appalling. The people all go to church, and if you suggest whiskey toddy or a base-ball game on Sunday, they will turn up their eyes, throw up their hands, and pray the Lord to have mercy on you. There are no drunken brawls at any time (except in Chinatown), and it is the policeman's picnic-ground (except in Chinatown). Besides churches, they have numerous temples dedicated to Venus, wherein pious persons work off their surplus devotion. Why is it that these fair vestals wear so little clothing? They are afraid to clog the things of the spirit with the habiliments of sense. Californians are pure, moral, and religious, in all that they do. As for having disreputable houses, or women with loose morals about them, I tell you they are as innocent as lambs. Indeed, Satan could not have made a greater commotion in Eden than the Chinese in California. One would suppose that such a model community would "clean out" those bad Chinese women. But it did not. It deputed a number of special policemen to watch them and arrest them, but it seems that these specials had the marvellous power of transmuting their brass into pure gold, and that, in the exercise of that power, they were as blind as bats. If the virtuous community of San Francisco permitted their morals to be corrupted, it is their own fault.

Such are the charges made against the Chinese. Such were the reasons for legislating against them;—and they still have their influence, as is shown by the utterances of labor organs; by the unreasoning prejudice against the Chinese which finds lodgment in the minds of the people; and by the periodical outbreaks and outrages perpetrated against them without arousing the public conscience.

YAN PHOU LEE.

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BEHIND THE CURTAIN OF A CONSPIRACY.

BY JOHN T. FORD, FORMERLY PROPRIETOR OF FORD'S THEATRE, WASHINGTON.

"Truth is confirmed by inspection and delay; falsehood by haste and uncertainty."—*Tacitus.*

On the morning of July 6, 1865, I was startled by the announcement, then first made public, that Mrs. Mary E. Surratt had been condemned to death by the Military Commission, of which the Hon. Joseph Holt was the judge-advocate general, acting as the representative of the Government and the adviser of the Military Court or Commission.

For a few days in April I was in prison with Mrs. Surratt, prior to her removal to the penitentiary (the Arsenal building). While in the first prison, I came in contact with the witnesses against her, Weichman and Lloyd, and was, by what I heard from them, convinced of her innocence of any knowledge of or complicity in the assassination of President Lincoln. She was an entire stranger to me. I had never met her, and had no memory of ever having heard of her, or even her name. The witnesses mentioned were also equally strange to my acquaintance or memory.

These two witnesses, Weichman and Lloyd, were early conspicuous in their expressions of terror to most inmates of the Carroll Prison. Many yet living may recall their fright. Weichman sought advice from the writer, saying that Secretary Stanton had, in a threatening manner, expressed the opinion "that his (Weichman's) hands had as much of the President's blood on them as Booth's." He added that "Mrs. Surratt was as good as a mother to him. She mended his clothing, took him to church, and treated him in every way as a son; that, as a woman, she was the most exemplary he ever knew." Of Lloyd, several there said

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that, after his arrest in the country, he had been threatened with torture, and intimated that he had to say what he did to secure relief. Others said that he had been a drinking, swearing, talkative Southern sympathizer, with a bad memory, when sober, of what he said when drunk, and he was quite drunk the evening of the 14th of April, at Marlborough, before he started for home, where he met Mrs. Surratt.

The memories of my contact with these witnesses, without whose testimony there was no shadow of a case against Mrs. Surratt, made the announcement of her conviction, and the intended swift and terrible execution of her sentence on the following day, a fearful horror. I deemed it a duty to devote every moment, up to the time she was doomed to die, to an effort to have her sentence commuted. I felt it was a criminal weakness, without justification or precedent in this country and age, to rush her to the scaffold and strangle her in haste upon questionable evidence, by a Commission whose legality had been denied by the leading jurists of the country.

I did not sleep during the night of July 6, devoting most of it to writing earnestly to the President. I left my home in Baltimore at 3 A.M. on the 7th and reached Washington by rail about 6 A.M. I sought the residence of the Hon. Montgomery Blair, and found that he was asleep; I sent him the letter for the President, which implored the commutation or suspension of the terrible sentence of death against Mrs. Surratt until he could hear me, and urged that a few days would suffice to establish the truth, with a free hearing, and as she was a woman, a mother, and one whose previous life had been without a blemish, justice could not be balked in any way by a brief delay. Judge Blair told me afterward that my letter reached the President and his advisers that fateful day. I found personal access to those in authority barred and guarded in every way at the White House; a hearing refused to the daughter of the condemned woman; the writ of habeas corpus defied; and Mrs. Surratt a dangling corpse before I turned homeward.

While in the Carroll Prison, I recall the handcuffing of a witness named Howell, a former blockade-runner, who bore the irons on his wrists for many days in my presence. When asked why he was ironed, he replied: "I suppose because I won't say what I don't know. They wish to make me criminate those that I

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know nothing against." As soon as I was released, I told Judge Peter W. Crain (yet living in Baltimore) of this treatment of Howell. Judge Crain was a pronounced Unionist; he acted as counsel for Howell, and at the time denounced the outrage on his client to the authorities. But the purpose of such treatment had been realized in its effect upon others.

I was committed to, or, rather, put in, Carroll Prison on the 18th of April, 1865. I was not confronted at any time with any charge, or placed before any one in authority. I remained there thirty-nine days, and was liberated as unceremoniously as committed, owing my release to the kind and active offices of the Hon. John A. J. Creswell, of Maryland, who, with the Hon. Henry Winter Davis, had interfered to secure my liberty.

When imprisoned in an upper garret room, as soon as I could procure pencil and paper, I wrote to Secretary Stanton, asking him to release me on a bond for any amount he might choose to name, and permit me to aid in securing the punishment of those guilty; I told him that a wife and six children would also be my hostages, and the Hon. Henry Winter Davis and others, my indorsers; that, with my influence over my employees, I could reach the truth, and the whole truth, about the terrible crime committed in my house; that I had every motive for aiding the Government to the uttermost, etc. I wrote this letter on the floor—I had neither chair nor table in my room. The letter was delivered at the War Department, and is probably there yet, in the archives. I received no reply to it. I then studied the evidence carefully, eager for the truth. I had every incentive to pursue it, through every person and every fact that I could reach. I noted that the prosecution soon formulated a theory which they would sustain, and that some witnesses for the prosecution were aware of what they were expected to prove. Those for the defence were terrorized in many ways. Some were imprisoned; one, before alluded to, was manacled; others were intimidated, and made to feel that to testify in the interest of Mrs. Surratt, especially, would be unpleasantly resented. Out of these shameful circumstances, I extracted the following history of Mrs. Surratt and others connected with the fateful 14th of April, 1865, and I am convinced that it is literally true.

I premise this history of a day with the statement that John Wilkes Booth, several months prior to March 4, 1865, had con-

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ceived a project to kidnap President Lincoln, either at one of the theatres or in the highways of the District, and convey him through southern Maryland to the lower Potomac, then across into Virginia and into the Confederate lines; and that he had conspired with Payne, Adzerott, O'Loughlin, and Arnold, in 1864, and with John H. Surratt in addition in 1865, promising these associates the aid of an actor. If the capture was made in the theatre, all the lights were to be extinguished by one knowing how to do it, and it was arranged, if necessary, to use Lloyd's house *en route* to the lower Potomac, where they expected to cross into Virginia. This conspiracy failed, and the conspirators separated soon after the 4th of March, 1865, Arnold, O'Loughlin, and Surratt leaving Washington. The design of abducting the President was then finally abandoned.

On the morning of April 14, 1865, it was fully 11 A.M. when John Wilkes Booth came from his chamber and entered the breakfast-room at the National Hotel, Washington. He was the last man at breakfast that day; one lady only was in the room, finishing her morning meal. She knew him and responded to his bow of recognition. He breakfasted leisurely, left the room when he had finished, went to the barber-shop, and, after his toilet was completed, walked out, and, stopping a few minutes at Pumphrey's stables, near the hotel, he went up Sixth Street to H. Going then to Mrs. Surratt's dwelling near by, on H Street, he met that lady, and she told him she was preparing to go to Surrattsville to urge the payment of a debt due her; that she had a letter from the estate of Charles B. Calvert, urgently demanding settlement of a debt due it; that she had been to church during the morning (it being Good Friday), and that Mr. Weichman was to drive her to her country place, from which she hoped to return before night. Booth, knowing the people there (it being probably a rendezvous intended to be used by the kidnapping conspirators, if successful), sent a vague message by her to Lloyd. He then left her house, and there is no evidence, save a clouded after-statement by Weichman, controverted by other testimony, that he was there afterwards, or ever again met Mrs. Surratt. She went to the country with Weichman, was there some time, and waited for Lloyd. Before he came her buggy had been turned city-ward. A spring was broken, affecting its security, and it is probable that Mrs. Surratt would not have waited at all, had it not been

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that she wanted the wagon made strong enough to take her back. Lloyd came at last, besotted and unfit to talk understandingly, but he did fix the spring of the buggy with a rope. When she reached her home in the city with Weichman, it was about nine o'clock.

When Booth left the Surratt house in Washington, on H Street, on April 14, about mid-day, he walked up to Tenth Street and turned down towards Ford's Theatre. A group of young men were in front of the theatre on Tenth Street, near E. When they perceived him approaching, one said, "Here comes the handsomest man in Washington"; and the appearance of the youngest of the Booth race justified the admiring words. He was elegantly dressed in a dark suit, light-drab overcoat, hands gloved, with a cane in one, a black silk hat, slightly tipped, on his head; his long hair, black to brightness, glistened in its sheen, and his walk, one of easy swagger, was full of grace. He was then twenty-six years of age. As he passed, four out of five on the street would turn to look at him again,—such was his personal magnetism. The writer has always maintained that Booth was animated by a pride that contained elements of insanity, and many of his acquaintances recognized this peculiar bent.

It may here be said with propriety that, with his health, youth, personal grace, and dramatic inheritance, he could earn, in the very alluring work of a leading actor, from $500 to $1,000 per week at that time. Yet the eccentricity born within him made him ambitious, when in a strange mood, of emulating the "youth who fired the Ephesian dome," or to act the part of Brutus in real life. His abduction plot was a matured plan, conceived in the fall of 1864, brilliant, daring, and full of danger; but it failed, and he felt the mortification as if it were a sort of disgrace. The assassination was the Brutus-impulse, and it came to him only on the day of its performance, and after he learned of an opportunity, as may be seen by what followed his arrival at the theatre. Letters from other cities were waiting for him there that day. He received and read them in the front of the building. He was pleasantly taunted by some of his Union friends there with the information that the President and General Grant would both be at the theatre that evening, and one added: "General Lee will be with them."

Booth quickly responded: "They won't parade Lee as the Romans did their captives, I hope."

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The remark about Lee's coming was withdrawn, but the effect of the information as to President Lincoln and General Grant was apparent. Booth grew abstracted and thoughtful, and soon departed, *with the first possible information he could have had of the President's intention to visit the theatre that night.* He went down Tenth Street to Pennsylvania Avenue. He was met there by several yet living. He spoke to John F. Coyle of Brutus, as he paused for a moment's talk. He first went to the Kirkwood House and sent his card to Vice-President Johnson, inquiring if he was disengaged. The Vice-President not being in his room, Booth sought and found Adzerott and Payne, and arranged to meet them both at 8 P.M. at the Herndon House. He then probably went to Grover's (now the National) Theatre, as Pumphrey testifies, and wrote a communication for the *National Intelligencer*. From Pumphrey's stable he took a horse at 4 or 4:30 P.M. to find Herold, whom he wanted as a guide. He observed Matthews, the actor, walking, as he (Booth) was riding along Pennsylvania Avenue, and, hailing him, gave the statement for publication to him, with instructions. Matthews burnt the package that night to avoid possible crimination. After he found Herold and conferred with him, Booth rode to the Herndon House and met Payne and Adzerott, and from there went to the rear of the theatre, reaching it between 8:30 and 9 P.M., as several witnesses testified. There he left his horse to go to the front of the house.

At 10:20 he assassinated President Lincoln. In jumping from the private box, in which the crime was committed, to the stage, he fractured what is commonly known as the shin-bone of his right leg. He hopped on one foot to the rear door, had much difficulty in mounting his horse on account of the great agony the fracture caused, but finally did so, and escaped from the city. Intense suffering and a fall from his horse forced him to go out of the nearest path of escape to procure the medical aid of Dr. Mudd, whom he knew, and to that act alone the physician owes his involvement. Otherwise, Booth would have pursued the direct route to the lower Potomac.

A thorough sifting of all the evidence published by authority of the Secretary of War, indorsed by Judge-Advocate-General Holt, certified to by Special Judge-Advocate Burnett as to its "faithfulness and accuracy," will practically sustain this account

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of the movements of Mrs. Surratt up to 9 P.M., and of John Wilkes Booth up to 10:20 P.M., on April 14, 1865. This book, so carefully prepared under Judge Holt's own supervision, and every line scrutinized by his assistant, Colonel Burnett, *does not mention or record,* in any way, "the recommendation of mercy," which was just as much due to the accuracy of history, due to the world, due to the memory of Mrs. Surratt, as it was due to President Johnson on the 5th of July, 1865. It was an essential part of the history of the proceedings of the Commission. Its omission in the publication is, however, in keeping with its suppression at the White House; in keeping with a large majority of the rulings of the Commission adverse to its unfortunate victim; in keeping with the insult put upon the distinguished counsel, the Hon. Reverdy Johnson, when he volunteered to defend Mrs. Surratt. This book also, in its account of the death of Booth, graphically told by Conger, describes minutely articles found upon his person, with one exception—some photographs, which indicated much as evidence of some of his Washington acquaintances. This was also a suppression with a purpose.

There is now to be considered the question whether John Wilkes Booth—a young man of the personal attractiveness already described, of a family of great professional distinction, with the world before him, of undaunted courage, liberal with his purse to profuseness, eloquent and persuasive with his tongue—was not the very man to lead Payne and others into a conspiracy to abduct the ruler of a great Nation and to carry him into captivity. To them, ardent sympathizers with the South as they all were, the plot was full of fascination and seemed within accomplishment. If successful, it would have startled the world and made heroes of those participating in it. Both of the theatres in Washington were considered favorable places to make the capture at night; and after a rush from the city and down through the peninsula, if uninterrupted, day-break would have found them across the river and within the Confederate lines. It was also planned to make the capture either on the 4th of March or as near it as possible, and on the street, if opportunity permitted.

Booth's alleged cause for conspiring to abduct was to force, if successful, an exchange of prisoners. He quoted to his followers how it had been done in past ages, and, in his talk among his acquaintances, the only time he exhibited feeling was when criti-

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cising the National authorities for refusing to exchange. He blinded Mrs. Surratt entirely as to his plotting with her son; his position, means, and pleasant manners evidently won her admiration and confidence; she was proud of such a visitor, and at her house he could confer in a secluded room, with impunity, with his confederates, without her dreaming of his ultimate purpose. It was well known to her that at the hotel his associations were the very best. He could learn from Weichman, at her house, he being employed as a clerk under Colonel Hoffman, the commissioner of prisoners of war, their locality, number, etc., without suspicion. It is a matter of unpublished, but easily-proved, history that Booth's associates in crime, whether in the projected abduction or the assassination, denied most solemnly that Mrs. Surratt had any part whatever in the plot to abduct; but, on the contrary, they were warned, over and over again, to keep all knowledge of it from her. Asseverations were made also by those who were executed, on the day of their death, of her entire innocence of their crime. Arnold and O'Loughlin, before going to the Dry Tortugas, protested that she was not known in any way in the conspiracy to capture and convey to Virginia the person of the President.

I now wish to advert to Judge Holt, not in the bitterness and vehemence of despair that he betrays in his letters published in THE REVIEW for July, 1888, denouncing the ex-President, with whom he found much pleasure at one time, and adversely criticising two others almost as conspicuously prominent in the military trials of 1865—the Secretary of War and the Attorney General, neither of whom, although they were friends of his and bitterly antagonistic to ex-President Johnson, would bear witness that the Judge-Advocate did submit to the President a recommendation of mercy, which was signed by five members of the Military Commission. I have near me the book before alluded to, entitled "The Trial of the Conspirators, compiled and arranged by Benn. Pittman, Recorder of the Commission, published by permission of J. Holt, Judge-Advocate General, June 30th, 1865, by the authority of the Secretary of War, under the superintendence of Col. H. L. Burnett, who will be responsible to Judge Joseph Holt, of the Bureau of Military Justice, for its entire accuracy." It was so published, including, as was promised, the entire proceedings, the findings, and the sentences; but it contains, I

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must say again, no mention whatever of the petition which Judge Holt declares (page 88, July REVIEW) that he did present to the President, "signed by five members of the Military Commission," asking clemency on behalf of Mrs. Surratt. That petition, left with Judge Holt,—an addition to the very findings of the Commission ordered to be attached to them,—which he says he did present to the President on July 5th, *is not mentioned* in the printed record of the trial, which was not issued from the press until October, 1865,—seventy-five days after Mrs. Surratt was strangled. The world hardly knew in the seven years which followed, up to 1872, that she had been recommended in any way to mercy, and is yet (1888) in grave doubt whether President Johnson ever read the recommendation. A Commission advised by Judge Holt condemned her; a President and Cabinet, practically influenced and advised by Judge Holt, hanged her, *with less than two days' notice.* The very man of God who shrived her soul for eternity was said to be constrained to promise that she should not communicate with the world. As the poor martyr walked in her shroud to the scaffold, it is also said that she begged the ministering priest by her side to let her tell the people "she was innocent." She was told that "the church was permitted only to prepare her soul for eternity; that already she was dead to all else."

I was present at the trials before the Military Commission. I recall poor Spangler, as innocent as Judge Holt "of any guilty knowledge," manacled while on trial, and it was known that he was hooded when first arraigned before them. I can now read the words of that grand old jurist, Reverdy Johnson, when he cites the authority of an English jurist, Lord Holt, who, hearing the clanking of fetters in court, said: "Let them be instantly knocked off. When prisoners are tried, they should stand at their ease." I saw Mrs. Surratt totter, as if fettered, to her seat in the dock, and I remember reading in the Washington *Star* and the Baltimore *American* that her ankles were fettered. I saw all the others in conspicuous irons at the trial. I know that the great representative Maryland lawyer, who had been Senator, Attorney General and Minister to England, was told that he was not qualified to plead for a helpless woman from his own State. I recall his sturdy, manly glare at the Court, which he afterwards pronounced "illegal, unconstitutional, and disqualified" to try any

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one. I heard, within the same year, Henry Winter Davis say that Mr. Johnson was never nearer right than when he denied the Commission legal jurisdiction or existence. With these memories, Judge Joseph Holt's statements of what is "due to the right"—in his Speed letters—amaze me.

I am a mere layman, unlettered in law, except what I have studied in this case. I have felt it my duty to speak what I deem the truth for the memory of a lady whom I only saw thrice in my life—each time in prison—and of whom I never heard until her great trouble. I am not of her church or her people in any way; but I recall a Commission that was advised by Judge Holt, which caused her to be strangled until dead, and with many facts still untold, I am striving in my humble way to do justice to her memory. I would that it were possible now to have her trial reviewed by a fit tribunal. Enough witnesses are living yet to secure the truth, the whole truth, and nothing but the truth. It is far more important to history that Mrs. Surratt should be vindicated before the world than that Judge Holt should be exculpated from his share in her hanging, for which exculpation he begged so piteously from Attorney-General Speed. The living can write and talk, but the dead must depend on the supreme right of legal justice either to justify or condemn their fate.

JOHN T. FORD.

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IDIOSYNCRASIES OF ALCOHOL.

BY DR. W. S. SEARLE.

Is TRUTH ever a debtor to falsehood? Are reforms ever promoted by exaggeration, misrepresentation, or deliberate untruth? On first thought—no. On reflection—yes. History affirms this, and philosophy explains it. Indeed, no reformation can be cited, whether in law, custom, morals, or religion, which has not been largely indebted to fanatical leaders who, by as much as they were so, were beyond and largely outside of the realm of truth. Free trade had its Cobden, religion its Luther, emancipation its John Brown, and temperance has its Matthew and its Dow.

Philosophy explains these facts. The inertia of the human mind and soul is immense. Absorbed as men are in the struggle for existence, in the gratification of passion and appetite, in the thousand aims of life, their attention to existing evils can with difficulty be aroused. Still harder is it to initiate reform; harder yet to carry it to a successful issue. Not until a cause finds fanatical advocates, who can look but one way, see only one goal, put aside everything—even truth itself—to reach it, and thus arouse discussion and opposition, can a reform make notable progress. And thus truth becomes a debtor to falsehood.

Rarely, if ever, are these *avant couriers* right either in the principles they advocate, or in the means they employ to establish them. In time, the world moves forward toward them; sometimes to one or the other side of them; perhaps even beyond them. But if it ever occupies their ground, it is not for their reasons. Such men are as narrow in their views as they are intense in their purposes. Like red-hot pokers, they burn their way where broader natures would fail to penetrate. But the holes they make are small. Still, when their cause is good, we must applaud them for the results which, without their aid, would fail of accomplishment.

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It is thus we regard those who would rally the world to temperance reform under the banners of total abstinence. They are fighting a hideous evil, they are leading the "forlorn hope" in conflict with it, and, for the sake of the good which has come, and is to come from their efforts, we accord them hearty applause, and cordially second their aims.

But yet temperance is the true doctrine, and total abstinence is fanatical error. Alcohol is not, in all its forms, and everywhere, and under all circumstances, an evil. On the contrary, not seldom it is a benefit and not an insignificant one. Can it injure this reform to state this? to prove it? Can it hinder the coming of the millennium of temperance by an hour? If we thought so, not a line would we trace. But it cannot be. For on whatever basis of law or custom the world finally rests as regards this question, it must be that which is supported by the exact truth, and not by fanatical falsehood. To every philosophic mind, the very fact that the pioneers of this reform insist upon their peculiar views and methods is *à-priori* proof that they are untrue and impracticable.

But broad views of this subject are out of place here, since the editor of this REVIEW has asked me to speak to only a single phase of it—viz., the idiosyncrasies of alcohol. Our query, then, is, Does alcohol, in its various forms, bear the same relation to all men, affect all alike, produce in all identical physical, mental, and moral results? And the reply must be, Surely not. Are we misstating when we attribute different views to abstinence advocates? Do they not, with their favorite physiologist, Richardson, at their head, represent alcohol in all its forms, to be everywhere and under all circumstances poisonous to the human race? Do they not hold that, if every substance containing it were at once and forever annihilated, mankind would reap benefit only, and injury in no particular? Overlooking all other causal factors, do they not constantly attribute to its pathogenetic influence a multitude of diseases which are by no means exclusively found in drunkards? These are mere samples of their many exaggerations and perversions of fact. Have any of them faced about and studied, with and through the eyes of practical physicians, the possible benefit of a proper, rational use of alcoholic beverages?

Let us first consider the pathological effects of alcohol. We shall find them far from uniform. Not seldom, as is the case

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with tea, coffee, tobacco, arsenic, and other substances, the human system gradually becomes accustomed to alcohol and tolerant of its presence. If consumed in moderate quantities, and in its milder forms, it is extremely doubtful whether it is capable of producing any disease in the majority of individuals. Indeed, with much reason, it may be claimed that it sometimes prevents disease. It is doubtless true, however, that, in moderate quantities, even wine and beer, and, much more, distilled spirits, do produce certain forms of both functional and organic diseases, in many instances. Prominent among these, and best authenticated, is that class of diseases the essential feature of which is an increase or hardening or thickening of the cellular tissue of various organs. But the list of pathological changes attributed, with more or less (often less) reason, to the habitual use of alcohol, is too extensive for even enumeration here. If we are to believe some pathologists, there is no known poison which is responsible for such a number of organic changes.

It should give us pause, however, when we remember in how many instances men consume alcohol in large quantities, and in its most pernicious forms, during many years, and yet survive to a green old age. One may find examples of this sort in every community, and not seldom cases of almost unparalleled longevity in drunkards are recorded in the public press. On this very day the Paris correspondent of the New York *Tribune* narrates the following history: M. Dronin was born in Brittany, as attested by a Navy-Office certificate, in 1787. He has just died by accident while intoxicated. He was wont regularly to consume a bottle of wine with his dinner, and follow that meal with a glass of brandy. According to his own testimony, he "never knew one of his ancestors who was not fond of cider brandy." He also affirmed that he "always went to bed partially intoxicated." It is added that the physicians who made the autopsy were astonished at the soundness of his organs, and stated that, if it had not been for the accident, he might have lived twenty years longer. It is true that this is a newspaper account and may, therefore, be unreliable, but, in view of numerous similar histories, it is also quite possibly true.

But such facts give no pause to some pathologists. They go right on attributing the majority of lesions found in the bodies of drunkards to alcohol exclusively. If scleroses, fatty degener-

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ations, etc., were not reasonably frequent in sober men, and these forms of disease were always found in inebriates, their conclusions would have more weight. That alcohol does produce organic diseases is highly probable; indeed, it may be said to be quite certain. But surely this does not warrant an entire disregard of all other causes, nor the selection of this one with such confidence in each individual case. Other wiseacres have found in vaccination the origin of nearly every disease. Others still, with equal vigor, curse tobacco. But logical minds must class them all together as cranky and fanatical. Surely if men composed of flesh and blood and bone, like their fellows, can drink distilled liquors freely and steadily for fifty, sixty, seventy years, and finally die, like few others, of old age, we are justified in concluding that there must be exaggeration somewhere as to the pathogenetic effects of alcohol.

Probably those diseases named above and a few others are justly and largely attributable to alcohol. And if so, its pathogenetic powers, as compared with those of other poisons, are exceedingly multifarious. Original hereditary influences, variety of employment, the rapid elimination of this substance by the emunctories, and established tolerance, count for much in solving the problem of the variety of results; but, even so, it must be acknowledged that no other drug can be named the pathogenetic effects of which are so diverse, and which yet not seldom fails to show itself nocuous at all. It may justly be claimed, however, that in the sedentary, and, therefore, bilious, degeneration of the liver is most constant, while in those of nervous temperament, brain diseases are most common.

It may also be noted that alcohol is least injurious to men of lymphatic temperament—slow, heavy, unexcitable samples of humanity who seem to need some whip to wake them up. Many such absorb large quantities of stimulants with as little visible effect as water, and upon such it produces its minimum of evil, as well as its maximum of benefit. When one of such temperament leads an active, out-of-door life, which necessitates rapid breathing, profuse perspiration, etc., it may well be doubted whether, upon the whole, a moderate use of stimulants is not a physical blessing, prolonging and enriching life, as well as preventing disease rather than producing it.

But if the physical results of alcohol are varied, much more

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diverse are its effects upon the mental and moral nature of man. Indeed, they are as multiform as man himself. One general classification only is possible. Certain individuals (fortunately, the small minority) are always pleasurably affected by stimulants. Each successive dose arouses in them increased exhilaration, and when intoxication supervenes, their sensations are delightful. Their every sense is exalted; they fancy themselves endued with every gift—with all power and possession. As is often remarked, these are generally men of the most brilliant intellect, and of the most charming moral qualities. Once led captive by alcohol, these unfortunates seldom have sufficient power of will to refrain from renewed indulgence. No moral considerations avail to restrain them, and, with few exceptions, they yield wholly, finally, and fatally to the tempter. For such men total abstinence is the only refuge. Such an one was Gough, the celebrated temperance advocate, who, from the day of his reformation until his death, was consciously and imminently in danger of relapse into his former vice, and only kept from it by a powerful will, aided by strong religious sentiment.

Upon the large majority of men the effects of alcohol, taken to intoxication, are clearly and essentially different; although at first exhilarated, repeated indulgence brings drowsiness, dulness of apprehension, anæsthesia, vertigo, nausea, and vomiting—in short, bodily and mental symptoms which are excessively disagreeable. Of this class very few become drunkards, and those are men to whom anæsthesia becomes desirable as a temporary refuge from bodily pain or mental distress. Herein lies the sole explanation of the fact that the proportion of drunkards to moderate and habitual drinkers remains so small. And hence most largely and influentially the salvation of the world from this fearful vice.

The influence of heredity upon intemperance is a most interesting and profitable study, and one, as yet, but little exploited. It cannot be doubted by any intelligent student that, in the whole range of ætiology, no factor has anything like so powerful and extensive an influence as heredity. Were it not so, natural selection and environment would soon so differentiate mankind as to people the world with monsters. What our ancestors have inherited of tendencies to disease, of longevity or brevity of existence, of mental or moral characteristics, they transmit with more or less of certainty and precision to their descen-

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dants. To some extent, also, doubtless, they endow us with what they have become by the influence of habit during their own lives. Thus drunkards beget drunkards or progeny predisposed to inebriety or to some other form of disease. But it is necessary to be upon our guard here, for I think the influence of habit upon the individual and his progeny is currently supposed to extend too deeply and widely. It is true that a large proportion of inebriates can be shown to have had drunken ancestors. But to assume that this relation is the sole determining factor in the statistical result is plainly a *non sequitur* and is against evidence.

To make such a claim is to ignore all the other causes which tendto induce inebriety, and which are many and powerful! Were it true, as is too commonly assumed, what a state of things might we expect in countries where the use of even the stronger kinds of alcoholic beverages has been and is almost universal. For example, during the last century the consumption of rum in the New England States was enormous, compared with what it now is. Its use might be said to have been universal. At the convocations of the clergy, in the fields of the farmer, at every wedding and funeral, rum was an essential and unfailing beverage. Those who abstained from its use were marked exceptions. For centuries the Scotch peasantry, as well as many of the higher classes, have been regular and constant consumers of whiskey. But in neither of these countries has the number of inebriates increased as it should have done, did habits like these modify heredity so profoundly as some philosophers would have us believe. Out of six hundred inmates of the Kings County Inebriates' Home, nearly one-half are reported as having had inebriate ancestors. And forthwith the conclusion is jumped at that heredity of drunkenness, in this proportion, is proven. But this proposition cannot be accepted by any logical mind. It proves too much to be true. Did space permit, a profitable comparison might here be drawn between the influence of heredity and that of habit. But this and other cognate points of great interest must be neglected.

I cannot refrain from remarking, however, that no branch of science is so untrustworthy as ætiology. The moment men begin to talk of cause and effect, they seem to take leave of logic and even of common-sense. In no respect is mentality more barbaric. To the mind of the simple Indian there was a direct causal rela-

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tion between the will of Columbus and the eclipse which followed. And still, in the noonday of civilization, even intelligent and educated men are far from emancipation in this regard. They must find a cause for effect, and often they thus link together the most distant and incongruous things.

One other idiosyncrasy of alcohol is noteworthy. "*In vino veritas*" is an ancient saw, and it contains truth. But it is only a semi-truth after all. The "Autocrat" says that every man contains a trinity—the real John, John as he appears to himself, and John as he appears to others. Now, it must be owned, that in the earlier stages of intoxication, the real John is very apt to appear. Alcohol anæsthetizes the mind as well as the body. And as, one by one, environing restraints lose their influence, the true mental and moral characteristics of the man appear. The lecherous becomes unchaste; the generous, prodigal; the brave, reckless; the cunning, treacherous; the sentimental, maudlin. But when intoxication becomes fully developed, there is little except the animal left; not enough, often, to make a decent dog.

When the drunkard is also a dipsomaniac,—that is, when his brain is really diseased,—then intoxication renders him a madman—indeed, furious, destructive, murderous. Nothing is more awful to the intelligent drunkard, when he has become sober, than the conception of the possibilities of his nature as developed by a debauch. If, then, the proverb be true, it can only be so of the earlier stages of intoxication: when reason has been dethroned, and passion is crowned, *falsitas* has usurped the place of *veritas*. We hear much of dipsomania, but few seem to comprehend its true signification. By some, considerable doubt is expressed of the existence of such a disease. They regard it as a mere pathological hypothesis or invention of physicians in palliation of crime. By the intemperate, it is seized upon as an excuse for indulgence in their vicious habits.

Dr. L. D. Mason, consulting physician to the Kings County Inebriates' Home, and one of the most distinguished experts on alcoholism in America, defines dipsomania as "an irresistible craving for alcohol in some form, and that to intoxication." Like all other manias, it is more or less pronounced, is marked from sanity by no definite line, and is simply a convenient, proper, and necessary title for a disease

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of which no well-informed and candid mind can deny the existence. All acknowledge that there are persons sane and persons insane. But the fact that not a few are so near the arbitrary boundary between these classes that it is difficult to decide as to their sanity, furnishes no valid reason why such a distinction should not be regarded as both proper and necessary, either as regards mental philosophy or moral responsibility. Dr. Mason, in a monograph upon this disease, holds that there are three causes for its development.

1. It may be produced by the habit of intoxication in a man otherwise healthy and of sound heredity. He allows, however, that authorities differ on this point, and concedes that it is an open question.

2. Dipsomania may be caused by sunstroke, by cerebral concussion, or by cerebral disease.

3. Most dipsomaniacs are found among those who have a history of inebriety, insanity, epilepsy, or other neuroses in the direct line of descent, or in collateral branches, or both, who inherit a weak nervous organization, and become dipsomaniacs, not from habit or choice, but from necessity.

With the exception of the first point, he is supported by a long array of English and Continental authorities of great learning and experience. The sole question, then, and one which Dr. Mason concedes to be an open one, is whether this disease may be acquired by an entirely sound and healthful man. In his opinion, this may be the case. This is a most important question. For if his opinion be accepted, many a criminal now in prison, and many another whose crime has been expiated upon the gallows, properly is, or was, rather, a subject for an asylum for the insane.

Such a doctrine ought not to be accepted without the most clear and decisive evidence of its accuracy—evidence which surely does not now exist, and which, probably, can never be furnished. Society cannot afford to believe that habitual inebriety furnishes any excuse for crime or any favorable modification of responsibility. Indeed, quite the contrary has been and should be the decision of courts and juries. It does not appear, however, that there is much danger in this direction.

It is difficult to persuade any twelve men that the drunken criminal is irresponsible, whatever may have been his heredity,

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and even though he may have been the victim of accident, like those mentioned, previous to the formation of the drinking habit. So that, for the present, at least, this question may safely be relegated to the scientists for discussion.

I have elsewhere* and at some length considered one of the beneficial effects of alcohol. Others also might be mentioned. For example, it is well known that, of a number of children inheriting phthisis, those who are assisted by alcohol are often enabled to pass the critical period when this disease is wont to develop, and thus avoid it altogether. Nor is it doubtful that, among those in mercantile life who pursue their business with such unremitting attention as is necessary to success in American cities, there are many who might escape early collapse under the enormous loads they carry, if they would renounce their total-abstinence principles and practices, and partake of wine with their meals. They would eat less, digest better, carry fewer worries to their beds, and so be better able to endure a life which moves at a faster rate and higher pressure than any other on the globe. To some of them, the nervous natures especially, and to the class of individuals named above, the adoption of such a course would prove disastrous. But, just as surely, twice that number would be saved from premature graves or the worse fate of insanity. Every intelligent man can and should either settle this matter deliberately for himself, or act upon the advice of some broad-minded and experienced physician.

W. S. SEARLE, M. D.

*See NORTH AMERICAN REVIEW, August, 1887, "Sedentary Men and Stimulants."

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INADEQUATE CONGRESSIONAL SALARIES.

BY THE HON. JONATHAN CHACE, EX-UNITED STATES SENATOR FROM RHODE ISLAND.

UPON my recent resignation from the United States Senate, a Washington correspondent sent a communication to his newspaper saying that I had resigned because the compensation was too small. Nothing could be further from the truth. The statement is a fabrication, without the least foundation. In connection with that statement was published part of the remarks of Senator Platt in the Senate on the inadequacy of the compensation of Senators. While I do not feel called upon to deny the statements of anonymous newspaper men, this circumstance furnishes a convenient text upon which to construct an article upon the subject.

The history of the legislation in regard to the salaries of Members is curious. In 1873 an act was passed increasing these salaries from five thousand dollars to seven thousand five hundred dollars per annum. The law was retroactive, going back two years in its operation. Immediately the newspaper press all over the land set up a universal howl. Day after day, and week after week, hundreds of presses poured forth a flood of indignant condemnation. Legislators who would have spurned, as the plague, an unworthy motive, who had led spotless lives, and whose names were the synonyms of integrity and uprightness, found themselves satirized and mocked at in the daily papers as thieves. This was pointed at as evidence of the decadence of moral fibre in public men; a new and startling evi-

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dence of the growing greed for pelf which had at last invaded the temple of liberty itself, and corrupted the fountain-head of the Nation. For accepting the back pay, Members were relegated to private life in disgrace. In a paroxysm of abject fear, Congress made haste to repeal the law, and again reduced their pay to five thousand dollars per annum. That should never have been done. It was a case of truckling to mere noise.

There was nothing new about this retroactive feature of the law. Seven times since the adoption of the Constitution had laws been enacted increasing the pay of Members of Congress. In every instance those laws were retroactive, varying from a few days to seventeen months. By the act of September 22, 1789, the compensation of Senators and Representatives in Congress was fixed at six dollars a day, and thirty cents a mile for travelling to and from the seat of Government. This rate was to continue until March 4, 1795. The same act fixed the compensation from March 4, 1795, to March 4, 1796 (at which last-named date, by its terms, it expired), at seven dollars a day, and thirty-five cents a mile for travelling. This act was retroactive, extending back six months and eighteen days, viz., to March 4, 1789. The act of March 10, 1796, fixed the compensation at six dollars a day, and thirty cents a mile for travelling. (This act extended back over six days only.) The act of March 19, 1816, fixed the compensation at fifteen hundred dollars a year, "instead of the daily compensation," and left the mileage unchanged. This act was retroactive, extending back one year and fifteen days, viz., to March 4, 1815. (This act was repealed by the act of February 6, 1817, but it was expressly declared that no former act was thereby revived.) The act of January 22, 1818, fixed the compensation at eight dollars a day, and forty cents a mile for travelling. This act was retroactive, extending back fifty-three days, viz., to the assembling of Congress, December 1, 1817. The act of August 16, 1856, fixed the compensation at three thousand dollars and left the mileage unchanged. This act was retroactive, extending back one year, five months, and twelve days, viz., to March 4, 1855. The act of July 28, 1866, fixed the compensation at five thousand dollars a year, and twenty cents a mile for travelling (not to affect mileage accounts already accrued). This act was retroactive, extending back one year, four months, and twenty-four days,

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viz., to March 4, 1865. The act of March 3, 1873, fixed the compensation at seven thousand five hundred dollars a year and actual travelling expenses—the mileage already paid for the Forty-second Congress to be deducted from the pay of those who had received it. This act was retroactive, extending back two years, viz., to March 4, 1871.

Stationery was allowed to Senators and Representatives without any special limit, until March 3, 1868, when the amount for stationery for each Senator and Member was limited to $125 for the session. This was changed by a subsequent act, taking effect July 1, 1869, to $125 a year. The act of 1873 abolished all allowance for stationery and newspapers.

Those men have excellent company. Since 1789, all the way down, great, good, and distinguished men of every party have received back pay, have been "salary-grabbers." If it be *now* pronounced a crime, our national Roll of Honor must be sadly blotted. But what is the argument of these self-constituted censors of public virtue? They say one Congress may properly vote an increase for the next. "If the Forty-second Congress had voted an increase for the Forty-third, that would have been honest." The "Pickwickian" idea seems to possess these critics that men must not vote themselves money. But how about the men in that Congress who were already elected to another, and the Senate, which is a continuing body? Upon their theory, a majority of the Senate must, in honor, always vote against an increase, because a majority of the Senators always hold over from one Congress to another. Congress makes no contract with the people. Its members are the sole judges of what compensation they shall pay themselves, and the people so understand it, the only limitation being the law of reason.

The country is rich and prosperous, and the people are not only willing to see, but they take a pride in seeing, the men who represent them enabled to live in a manner befitting the important position which they occupy before the world. The simple question is: Is five thousand dollars a reasonable salary for the service and the conditions surrounding it? My judgment is that, if a consensus of opinion of those who have recently left Congress could be arrived at, it would be found to be overwhelmingly that the pay should be largely increased. I am sure that Members who have spoken are nearly unanimous. The honest judgment of

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Members still in service, apart from a feeling of selfishness, is that the present pay is very inadequate.

Members of Congress receive	$5,000
The Secretary of the Senate receives	6,000
Circuit judges receive	6,000
Cabinet officers receive	8,000
The Speaker of the House receives	8,000
Foreign ministers receive from	$7,500 to 17,500
Judges of the Supreme Court receive	10,000
The Chief Justice of the Supreme Court receives	10,500
(The Judges of the Supreme, Circuit, and District Courts, may, under certain conditions, retire under full pay.)	
Inter-State-Commerce Commissioners receive	$7,500
A Major-General in the army receives	7,500
The Lieutenant-General of the Army receives	11,000
(retiring at sixty-two with three-quarters pay).	
In the Navy on sea-duty the Rear-Admiral receives	6,000
Vice-Admiral receives	9,000
Admiral receives	13,000
(with provision for retiring under three-quarters pay).	
The Solicitor General receives	7,000
The Vice-President receives	8,000
The President receives	50,000

A great many presidents of banks and insurance companies receive salaries of from $10,000 to $15,000. The president of an insurance company in New York did receive $40,000. Railroad presidents are paid from $10,000 to $25,000. Railroad superintendents are paid from $10,000 to $15,000, and the managers of the great industrial enterprises earn and receive similar salaries. Men eminent in law and medicine, without number, earn much larger sums. Aldace F. Walker, one of the Inter-State-Commerce Commissioners, relinquished his salary of $7,500, it is said, to take the chairmanship of the Inter-State-Railroad Association, at a salary of $25,000. There is nothing in either of the positions enumerated above, bearing those high salaries, which calls for broader previous training or better mental equipment in order to discharge successfully the duties, than is necessary for a useful Senator or Member of the House. The Judges of the Supreme Court of the United States are men very eminent in their profession, but their places could easily be filled from either House, nor are their duties more arduous. The routine duties of Members and the personal demands of their constitutents wear out their energies, and prevent the necessary attention to the philosophy of legislation, the science of government, and the study of National questions.

Long service is necessary to the best equipment, and these years are taken out of the best of a man's life, when, if ever, he is to make the necessary provision for his declining years and for his

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family after him. Year after year, and every year, we see men in either house, of strong physique and tough mental fibre, break down from excessive overwork. Some die ; others retire with broken constitutions. It is within reasonable bounds to say that most Congressmen spend fourteen out of twenty-four hours in active mental occupation, oftentimes of the most exacting character. Every one of them needs a paid assistant, capable of rendering such services as cannot be procured for a small salary. Some need two or three. What is there in the service of a Cabinet officer, a Circuit Judge, a Commerce Commissioner, a second- or third-class Minister, a Major-General, a Vice-Admiral, or a Solicitor General, which calls for higher qualifications or larger compensation than a Senator receives ?

What in connection with the Presidential office calls for ten times the pay of a Senator ? The duties or obligations, official or social, are not ten times as great. Is it a matter of National dignity ? The office of a Senator is second only to that of the President. He shares the Senators' legislative prerogative through the veto power; they share with him the appointments and the treaty-making power. Washington is becoming the social and intellectual, as well as the political, capital of the country. The Congressional Library attracts students. The Medical Museum and Library, unexcelled in the world, the National Museum, the Smithsonian, the Hydrographic Office, the Fish Commission, the great Bureau of Ethnology, and the Geological Survey, with its splendid scientific corps built up by Major Powell and his able assistant, James C. Pilling, are constantly attracting to the city people eminent in art, science, and literature. All must meet and be entertained by Senators and Members. Every turn of the social wheel increases cost.

Do you say the salary has been increased two and a half times ? The exactions of society, of politics, of charity, are tenfold. With the great increase of population in the country has also come a great increase of individual activity. The growth of commercial, mechanical, and business activities, with the wonderful facility of communication, causes the constituent to impinge with increased force upon his Representative. The two Senators from New York, no doubt, represent more people to-day than did the whole of the first Senate, and the city of New York probably does more business than the whole country did then; and when it

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is known that each Member has in his keeping the interests of the whole sixty millions of people, it is readily seen how greatly his responsibilities are multiplied. The Senate has been characterized as a "millionaire club." Fully one-half are men of small or no means. A large proportion of the rest are men of moderate fortune. A few are rich, and there are three or four great estates. The wealth is nearly evenly divided between the two sides of the chamber. In the House the only great fortune in the Fiftieth Congress was on the Democratic side. The argument that small means or paucity of the salary lays Members open to temptation is not justified by the facts. I repudiate that. Many years of careful observation lead me to the conclusion that few Members are, or could be with safety, approached by corrupt offers. They are, as a body, not only among the ablest, but the best, men in the Nation, and have been so Congress after Congress. The cause rests upon other and better grounds. Much of the best talent, the stanchest integrity in the land, is found among men of small means.

No man likes to put himself in a position where he cannot live in a style comporting with the average of his associates, or spend the best years of his life with the probability of finding himself at the end of the term worn out, and nothing saved for his declining years. It is no argument to say that there are hosts of candidates. The weight of the argument is that it is inequitable. It is unbecoming in a great Nation to pinch the salaries of those who occupy an office so great in the eyes of the world; nor do the people desire it. Members of Congress feel it to be their right to receive more adequate pay, but are deterred from fear of adverse criticism by the press. Had the office not been elective, the salary would long since have been doubled.

JONATHAN CHACE.

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FOG-SIGNALS AT SEA.

BY CAPTAIN C. W. KENNEDY, CAPTAIN SAMUEL BROOKS,
CAPTAIN GEORGE BURTON, AND
CAPTAIN A. BOYER.

THE International Marine Conference to secure greater safety at sea originated with the Superintendent of the New York Maritime Exchange. He observed that the maritime disasters daily communicated to him were of a few general types, the most frequent being the result of collisions in fogs. The main cause of these, he found, was that one vessel could not know the course of another vessel in her vicinity, each being invisible to the other. To lessen chances of collision, it was obvious that representatives of all marine nations should meet and agree upon some simple means by which ships could indicate the course they were steering. The International Marine Conference is called mainly for that purpose, although, while assembled, its delegates may act upon other matters in which all are interested. Still, the adoption of a course-signal is its main object.

It is true that, by common consent and for their own protection, ships and steamers, when enveloped in fog, sound fog-horns or a steam-whistle. But these only announce, "Look out; a vessel is approaching!" In a moment there may be a crash, a few gurgling cries, and "the wealth that far down in the deep ocean shines" may be enriched by another sunken wreck. Had the fog-horn or steam-whistle, by a preconcerted signal, indicated how the approaching craft was moving, the collision would have been averted. But no such signal has ever yet been adopted, although ships have sailed, and been sunk by collisions, from prehistoric times. To our country and our day it has been reserved to apply a remedy.

The Conference of the nations is necessary because, although Neptune's vast domain thrice exceeds in extent all the kingdoms of earth, that mythical potentate has no Congress or Parliament

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to make laws for those who walk his waters. They themselves must agree upon regulations for all seamen to observe. The President of the United States has invited the nations to unite in the Conference, and their representatives will meet at Washington in October.

What they will decide upon no one can say. But whatever the fog-signal may be, it should be so very plain and simple that whoever hears it, however unlettered he may be, can instantly and unmistakably comprehend its meaning. Various plans, more or less complicated, have been proposed, but as yet none free from objection. Some favor long and short sounds on the principle of the telegraphic alphabet—excellent in quietude and for educated ears, but indistinct amid the tumult of an ocean storm, even if understood. At the best, sounds seldom penetrate far to the windward in the teeth of a tempest. Some advocate electric signals, and Edison's magic may, perhaps, yet solve the problem. Inventive genius is seldom behind in the race with necessity, and in this case will doubtless come out ahead.

F. W. H.

SINCE the number of steamers trading between the continents of Europe and America has increased, there has also been an increase in the number of collisions. In some cases these have resulted in the total destruction of one of the ships, with a lamentable loss of life. Each time a collision occurs, the question immediately arises, Can nothing be done to avert these terrible disasters? This has caused many a thoughtful man to make it a subject for study; and the result has been that several codes of compass fog-signals have been brought out and laid before the public.

Several years ago, Captain Griffin, of the American Pacific Mail Steamship Company, published an admirable code; but, after being before the shipping interest for a time, it was, like many other useful inventions, laid aside and forgotten. Ten years ago another code of signals for use in fog was brought out by Captain Barker, of this country, which was even better than that arranged by Captain Griffin. I first saw it exhibited in Liverpool, and gave it my particular attention and study. Being then in command of the White Star steamer "Germanic," I was instructed by the company to inspect it and make my report ac-

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cordingly. I did so thoroughly, and, being convinced of its utility, I strongly favored its adoption. The same code was laid before the British Admiralty and the Board of Trade. Although it was approved by these bodies, nothing was done towards introducing it into the mercantile marine, and again the subject was allowed to drop. Several codes have since been introduced by others, but they were too complicated, and more liable to cause mishaps than to prevent them.

Every year the number of collisions is increasing; and the travelling public are now asking if something cannot be done that will lessen, if not entirely do away with, these terrible disasters that are becoming too frequent. The steamship companies all acknowledge the necessity of such a code, and, I am convinced, would willingly adopt it, if the Government would take the matter in hand, and make its use compulsory on board all steamers.

At last, after years have been wasted in fruitless agitation, the American Government has taken hold of the matter, and has issued an invitation to all maritime nations to send representatives to a Congress to be held at Washington for the purpose of selecting and adopting a code that will prevent collisions at sea.

In selecting a code for general use, the fact should be borne in mind that the fewer the signals, and the more simple they are, the more effective and useful they will be, and the less liable to cause mistakes. In my opinion, eight signals are all that are necessary; viz., a signal for every fourth point of the compass—N., N.E., E., S.E., S., S.W., W., and N.W. In addition to these eight signals, I would advise a separate signal for ships bound eastward and westward, to be used when a fog is first encountered. In this way two ships sailing in opposite directions could tell by the first sound of the whistle which way each was bound. Then the compass sound-signal could be used to denote in which direction each ship's head was pointed.

By using such a code, if the officers in charge acted promptly, it would be next to impossible for two steamers to come into collision.

I would suggest that the steam-whistles used should be of a uniform size and tone, and not, as they are at present on many small ships, so inferior that they can scarcely be heard a distance of half a mile. When in command of the "Germanic," I had a steam-whistle made in New York of the latest pattern—viz., one

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twelve-inch cylinder, with one eight-inch on each side; these gave three distinct tones, which, when blended into one, produced a sound that could be heard, in ordinary weather, eight miles away.

I would advocate that large steamers of high speed should have whistles of large dimensions and great power, and that all should be subjected to a Government test before leaving port on either side; for I believe that a good whistle on board a steamer is as essential as a good chronometer.

That such a code is necessary is proved by the number of collisions that have occurred during the last few years, and these will be more frequent as the number of steamers increases. Had a code been adopted ten years ago, very few, if any, of the collisions that have happened in that time would have been heard of.

Another subject of importance is that the officers of every steamer should undergo a thorough examination as to their acquaintance with the code.

For the benefit of seamen and the public at large, I hope that the Congress that is to meet at Washington will be largely composed of nautical men, who are far better able to judge of what is necessary than landsmen.

CHAS. WM. KENNEDY,
Late Commander White Star steamer "Germanic."

IN my opinion, a code of fog-signals, to be efficient, must be of the simplest kind. I have seen many propositions, some of which would require a large number of blasts to show the course a steamer is steering by compass; but all that I have yet seen have been too complicated to be of use in a sudden emergency. Two steamers approaching each other at the rate of nearly forty miles an hour (combined speed) would not allow their commanders sufficient time to act, if they had to make use of such compass signals, and nine times out of ten, in cases of sudden danger, the signals would probably be misunderstood, and thus lead to disaster. I would, therefore, strongly recommend the adoption of the same signal which has been used for many years by the New York ferry-boats, namely:

One short blast—"My helm is to port."

Two short blasts—"My helm is to starboard."

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Thus if I hear a steamer's whistle ahead on my port bow, I immediately put my helm hard-a-port and blow one blast. If I hear the whistle on my starboard bow, I put my helm hard-a-starboard and blow two blasts. Now, if those simple signals are properly understood and acted upon by steamers approaching each other, it is certain they will pass without the slightest danger of collision.

SAMUEL BROOKS,
Commander Guion Line steamer "Arizona."

I THINK steamers ought to be fitted with two separate steam-signals. This could easily be arranged by having two valves on the same steam-pipe. The sounds emanating from these would be as distinct as possible. Thus, the fog-siren would be the ordinary fog-signal to indicate the proximity of a vessel. The whistle could then be used to indicate the approximate course: one whistle, for instance, for "from North to East"; two, for "from East to South"; three, for "from South to West," and four, for "from West to North." When long and short whistles are used, they are apt to be confusing; but any rule which is made by the Maritime Conference should be authorized and enforced by all maritime nations.

Stationary fog-signals, such as those on light-ships and light-houses, might be made more useful by the use of explosives. The ordinary siren, with an explosive signal (it might be a steam one) every two minutes, would allow the mariner sufficient time to distinguish between it and the moving vessel.

GEORGE BURTON,
Commander White Star steamer "Coptic."

YOU ask my opinion concerning fog-signals, and are desirous of learning what I would recommend for the consideration of the Maritime Convention. This is a very complex question; but it is of such prime importance in promoting safety of navigation that I give my opinion without hesitation, convinced that it is the duty of all seamen to contribute their experience to the solution of this serious problem.

Collisions at sea form to-day the gravest—I would add, perhaps the only—danger to navigation. Unfortunately, the rules

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laid down by the International Convention are absolutely insufficient to enable even the most vigilant navigators to avoid collisions in thick weather. Are these international rules capable of improvement? I think they are.

According to Article 12, every steamship must be provided *with a steam-whistle, or with some other instrument operated by steam, so placed that the sound shall be unbroken by any obstacle.* Let us observe here that most steamships have the whistle placed in front of the funnel,—a thoroughly ineffectual system, because the waves of sound are broken toward the bow by the masts and and yards, while toward the stern there is a wide section, both right and left of the funnel, in which the sound waves are feeble and probably deflected. The true place for the whistle is, undoubtedly, on the bow of the ship.

But the regulation is wholly silent as to the power of these steam-whistles, although an essential point. Supposing two steamers to be approaching each other with great speed: it is necessary that they should hear each other's signals before the distance separating them becomes too small to permit manœuvring. If each is going at the rate of twenty knots, a maximum speed on the high seas at present, the two boats are approaching at the rate of forty knots an hour, or $\frac{66}{100}$ of a knot per minute. It appears to me indispensable that the respective whistles be heard at least six minutes before the ships meet. Hence it is necessary that the whistles should carry the sound $\frac{66}{100} \times 6$, or $\frac{396}{100}$ of a knot—equal to about four nautical miles.

The same Article says, farther on, that vessels, whether sailing or steam, shall be provided with a fog-horn of sufficient power. It is especially the means for signalling employed by sailing ships. In this wording there is the same vagueness as in the rule as a whole. What are we to understand by the words *sufficient power?* It is evident that a sailing ship, moving more slowly than a steamer, might have an instrument less piercing than the steamer; but still it is necessary that the minimum power should be fixed, and it appears to me that it is important to make the limit two miles for sailing vessels.

Article 12 enumerates the rules adopted for regulating fog-signals: A—*Every steamship, when in motion, should give a prolonged blast of the whistle at intervals not exceeding two minutes.* A steamer has, therefore, the right to sound its signal not oftener

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than once in two minutes. Two steamers approaching, accordingly, at the rate of twenty knots each, would thus be able to hear each other's whistles only twice before meeting. It follows that the interval between the blasts of the whistles is altogether too long, and that it has become necessary to decree the blowing of the whistle at intervals not exceeding one minute. It should be the same for sailing ships.

We next have Article 13, according to which every vessel, whether steam or sail, shall go at reduced speed in thick weather, be it fog or snow. The evident intention is, if not altogether to avoid collisions, to render them less disastrous. But it requires more precision of statement. What is the meaning of *reduced speed?* The phrase is so vague that I have frequently heard of captains who have been satisfied by merely checking the speed a few turns of the engine. It is, therefore, essential to have a given maximum of speed distinctly stated.

But I hardly think that the advantages resulting from such reduction of speed can counterbalance the commercial disadvantages to navigation Many captains consider that by moving ahead rapidly they may sooner pass out of the fog-belt and reduce the time of exposure to collision, while, if in the neighborhood of land, in the absence of astronomical observations and the horizon being hidden, the ship must be kept at a normal speed, in order to form an approximate estimate as to the degree of approach to the land and thus avoid shipwreck. Finally, speed forming the chief element in the success of steamship lines, few captains would yield such an advantage in the general competition. They are willing to accept a certain reduction of speed; but if said reduction be too great, it may be feared that they would not observe the rule, which would be the worst possible solution of the problem. Therefore, I do not think it expedient to avoid collisions by forbidding a speed of over seven or eight knots. Nevertheless, in view of their responsibility, a precise regulation fixing a maximum speed in such cases would be a thousand times more acceptable to sea-captains than the indefiniteness of the rule now in practice.

In fine, I am inclined to think that at a distance of, say, sixty miles from land, steamers may be allowed to go at full speed under the following conditions:

First.—That they have whistles, or some other instrument of

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sound, capable of being heard at a minimum distance of four nautical miles.

Second.—That this whistle be placed ahead of the foremast.

Third.—That they cause the whistle to be blown at intervals not exceeding one minute.

Fourth.—That they be required to bring the engine to a stop as soon as they hear the signal of another vessel.

The last rule will not be satisfactory to navigators, as they desire to preserve steerage-way; nevertheless, it seems important that the exact position of a ship in the vicinity should be ascertained. After a few minutes, when the speed has been reduced, the captain can order the engine set slowly in motion again before the escape of steam extinguishes the sound of the signals of the other vessel. While collisions may not always be avoided by this means, their results may be rendered much less terrible.

The existing rule is entirely silent as to the management of steamers when their respective signals are heard. It is, unfortunately, true that numbers of collisions might be avoided if the vessels but kept on their course. And often the courts have condemned captains who have altered their course with the best intention, and brought about collisions avoidable if the regular course had been followed. On the other hand, there is no record of how many accidents have been escaped because one of the meeting ships has held on her course. The uncertainty on this point is great. Nevertheless, it is well to observe that Article 15, like Article 16, clearly specifies that, when two steamers meet, that one which *sees* the other in a given position shall manœuvre to avoid a collision, while the other keeps on her course. The rule emphatically implies that, before altering their course, the ships should see each other, and that to do so without so seeing each other may cause a collision.

It may be said in favor of holding the course that if, in case of collision, one of the two ships should not move, even in clear weather, the captain who keeps on his course gains fifty to one hundred chances in his favor. In addition, it should be well understood that two ships on the sea are like two moving points in the midst of boundless space, and that nine hundred and ninety-nine times in a thousand these two points would not meet but for the awkwardness of man. It is, however, essential that, if

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the Conference decides that the two steamers shall hold their course, the rule to that effect be strict and clearly stated.

It is to be hoped that science may discover some means for more precisely locating a sound at sea, as now it often appears to come from a direction opposite to that from which it actually proceeds. Were that to become the case, there would be nothing to prevent laying down such rules as apply to ships when able to see each other, and directions could be indicated such as are used in the Morse alphabet, as, for example, a long ———— signal to indicate a ship going in an easterly direction, N. E. to S. E., followed by a short whistle thus ——— ——.

It remains to be said that steamships should be required to follow a specified route, changeable with the seasons. Such routes could be deduced, for example, from the admirable American Hydrographic pilot-charts. Assuredly, with one route for going and one for returning, sufficiently separated along the most frequented ocean highways, the risks of collision between steamers would be reduced. Although the danger of collision between steamers and sailing ships might continue as formidable as before, yet on this point we may say that the number of sailing vessels is constantly decreasing, while the number of steamships is as steadily on the increase.

Finally, our methods of construction may be so improved as to add to the safety of navigation by increasing the number of compartments to such a degree that a ship may continue to float even after many of her compartments are filled.

Such is a résumé of my views on this question. In this rapid survey I have said nothing which may not be known to all navigators, but I shall not the less esteem it an honor if my experience can prove of use in reopening the revision of regulations that are out of date, badly arranged, and often even dangerous.

I cannot end without calling attention anew to the very remarkable and complete work which M. Bavaré, head of the branch of Nautical Instruction at Paris, published on this subject in several numbers of the *Revue Maritime et Coloniale* during the year 1888.

A. Boyer,
Captain French Line steamer "La Champagne."

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NOTES AND COMMENTS.

I.

THOUGHT-TRANSFERRENCE.

I HAVE been reading Mr. Croffut's very interesting article upon "The Open Gate of Dreamland," in a recent number of THE REVIEW, and I notice that Mr. Croffut says that his result can be, in all cases, explained by the phenomenon of suggestion. He says: "If I face a responsive to the wall, I can have no effect upon him unless I speak to him"; and again: "The responsive must know what is wished." In regard to thought-transferrence and some other exhibitions he says: "My own experiments have not reached any of them, and, failing to do so, have suggested that they may all be delusions." It occurs to me that this deduction of Mr. Croffut's may be premature; that he has not met with the exhibitions named because they can only be developed by a different line of experimentation; and I beg to present an experience of my own as possibly a case in point.

The incident occurred to me in the summer of 1881, while passing a few weeks in a boarding-house devoted exclusively to women. I was convalescing from an illness which had been accompanied by great pain, and I was still very sensitive to light, sound, and, indeed, to all forms of irritation. One evening there were twenty or thirty of us together in the parlor, and in the dearth of interest frequent on such occasions, a woman who was considerably older and more experienced than the rest, suggested a game in which one of us, being blindfolded, was made to do something previously agreed upon by the company, the medium of communication being the operator's hands upon the subject's shoulders. The proposition interested me, from its assumption of power to communicate ideas by a method outside of my experience, and, others failing to do so, I offered myself as the subject. I expressed willingness to do whatever would be required of me, thus narrowing the problem down to simply the communication of the requirement to my mind. I said: "If you can in any way make me know what I am to do, I will do it." The game is not a new one, and is probably familiar to many readers.

Under the guidance of the hands on my back, I searched for lost articles, passed from one room to another, and performed a number of other feats. So far as I had expected anything, I had expected a picture or presentment of what I was to do, in such shape as to allow me to exercise my will and marshal my forces for its accomplishment; and I was prepared for considerable mental effort in grasping the idea which was to be projected into my mind. Nothing of the kind happened. No idea was given me. I proceeded blindly. I advanced very slowly, each step being taken simply in response to a loss of equilibrium. Apparently I first inclined in a certain direction, and then took a step to save myself from falling. I sat, I knelt, I reached out my hand in response to similar impulses. With my mind fully awake, but willingly passive, I was an automaton.

I am aware that similar exhibitions have been explained by conscious and unconscious suggestion conveyed through the hands of the operator, the weight of her body being the propelling power, and I would accept this explanation for my own case were it not for what followed. Finding me so docile, I suppose, it was deter-

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mined to give me something more difficult to do. With the operator's hands upon my shoulders, I again successively felt the loss of equilibrium and advanced as before for a number of steps, when I stood upright without any further forward impulse. While wondering a little at this loss of the feeling of propulsion, I commenced to feel a contraction in the muscle around my mouth. In a few minutes the puckering of the lips became very marked; so much so as to suggest kissing. Upon this, I immediately said to myself: "If they require me to kiss any one, it will be a mistake, because that is something which I will not do." Instantly, however, I corrected myself for allowing my thoughts to wander, and said to myself: "I must forget this kissing or I will not be able to receive the impulse and do what is required of me." I then succeeded in putting the idea out of my mind and resumed my previously passive and receptive condition, but no further inclination came to me. Although the operator's hands were still upon my shoulders, I had no further loss of equilibrium, nor an impulse in any direction, and the experiment was declared to have failed. It was then told to me that I had been required to kiss one of the young ladies. I had advanced to her side, but had made no further response.

It will be seen that my experiment goes a step further than Mr. Croffut's experiments. Mr. Croffut must have the coöperation of the mind of his subject. In my experiment, the mind of the subject had nothing to do with the result. The contraction of the orbicularis oris preceded the idea of kissing and was the cause of its suggestion. The contraction of the orbicularis oris occurred while my mind was a blank. A second point of difference is the fact that hypnotism was not essential to the result; but simply a degree of passivity possible to any trained mind.

In reviewing this experiment, it might be premised that kissing is an exercise to which I have a repugnance. I never voluntarily kiss even my dearest friends. I was thus made to perform a muscular action repugnant to me, at a time when not the remotest suggestion of such an action was in my mind. That this motion, at least, could not have been instigated by propulsion through the operator's hands will be apparent. Any other mechanical explanation I cannot suggest. For my own part, I believe the occurrence to be in the line of proof that, under certain conditions, the muscles belonging to one body may be controlled by the mind belonging to another body, its own mind being passive in the matter. Nor should I be surprised to learn that such substitution is not rare. It seems to me that the mind of the well substitutes the mind of the sick again and again in the practice of all successful physicians. I can recall two cases of otherwise incoercible vomiting which were apparently controlled by such substitution. One of these was a case of pneumonia, with a very high temperature during several successive days, and absolute rejection of both medicine and food. The patient's condition was desperate. I remained with her for a night, and the tendency to vomit seemed to be inhibited by my keeping myself very much alert to the necessities of the case. Personal contact seemed to assist in this result. If I left her bedside for five minutes, the vomiting recommenced; while holding her hand appeared to strengthen my influence. In this treatment, I had at the time no theory as my guide, but simply followed an instinct in the matter. The patient was too much reduced for self-control. I did not address myself to her at all, but simply tried with all my might to do for her that which she was unable to do for herself. In another case of incoercible vomiting, I recall the same attitude of mind. The forlorn patient was not appealed to, but, as I left for the night, I said to the nurse: "If that woman vomits, your reputation will be nothing with me." The woman did not vomit. Dr. James R. Wood had a way of saying to his nurses, "That patient has got to get well," thus recognizing this same personal equation in his results.

It seems to me that the transferrence of thought or will belongs to a different order of phenomena from those described by Mr. Croffut; perhaps equally beneficial and not to be disproved because not to be arrived at by the same means. Mr. Croffut's reflections upon the medical profession I simply do not understand. In this city, at least, our leading neurologists are interested in this movement, many of them being members of the Society for Psychical Research. If by opposition he means disapproval of exhibitions in which intelligent beings are made to believe in the presence

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of a seven-headed cow, and to comport themselves in a way which, in their saner moments, is calculated to cause them chagrin, the medical profession but voices the opinions and will have the support of all of the intelligent, self-respecting portion of our community.

SARAH E. POST, M. D.

II.

SOME NEWLY-DISCOVERED HEROES.

THE country has, these many years, been pretty well informed about "Daniel Boone and the hunters of Kentucky," and, indeed, the early history of none of the older States has been more thoroughly written than that of this heroic commonwealth. But neither Harrod, nor Logan, nor Boone planted the first American colony beyond the Alleghanies. That was done by James Robertson along the Watauga, in what is now Eastern Tennessee, in 1770, four years before Harrod settled Harrodsburg, and five before Boone built a fort at Boonesborough. But about these first pioneers the country knew next to nothing till so late as 1886, when the Appletons issued the first volume of James R. Gilmore's (Edmund Kirke's) series of southwestern histories.

This first volume, "The Rear-Guard of the Revolution," Mr. Gilmore prefaced with the bold statement that these Watauga settlers "thrice saved the country by thwarting the British plan to envelop and crush the southern colonies, and by turning the tide of the Revolution at King's Mountain," and, after the Revolutionary War, "frustrated the design of Spain to dismember and weaken the Union by causing the erection of a separate republic in the country between the Alleghanies and the Mississippi"; and he pronounced the three Watauga leaders—John Sevier, Isaac Shelby, and James Robertson—"characters worthy of the most heroic ages." These statements, if substantiated, would give these three unknown men an exalted place in our annals, and show Tennessee to have acted no inconsiderable part in achieving our independence; and we are bound to say that Mr. Gilmore seems to have substantiated them by the facts comprised in his three volumes, and thereby to have added a new and important chapter to American history.

But still the questions will arise, Why has no one else given us these facts, and why have they been so long buried under the dust of the past century? These questions are not yet answered, but, in Mr. Phelan's recent and well-written history of Tennessee, we have, from a native Tennessean, an indorsement of these facts and of Mr. Gilmore's estimate of the three Watauga leaders; and, moreover, Mr. Phelan fortifies his opinions by reference to a list of authorities which covers no less than sixteen closely-printed pages. Of John Sevier he says: "He was, in his sphere, a statesman of the first order; as a warrior, he was excelled by none who engaged in the same mode of warfare, and that he never lost a battle claims for him a high place among the great men of the world." "He is," says Mr. Phelan, "one of the heroes of our history; and he grows larger and more resplendent as he advances. He is the most brilliant military and civil figure this State has ever produced. Without him the history of Tennessee would, in many important respects, not be what it now is. He defined its boundaries, watched over and guarded its beginning, helped to form it, and exercised a decisive influence upon its development." "His claim to a higher order of ability is justified by his clear vision of the present needs of his people, and of the future requirements of the State, whose greatness he foresaw," and "his diplomacy and generalship hastened the settlement of Tennessee by a number of years which cannot be calculated." Mr. Phelan says, further, that Sevier's "enthusiasm, his personal daring, his resolute quickness, his knightly disposition, made him the idol of his soldiers and his neighbors. The grim mountaineers worshipped him with an extravagance of adoration. They loved him with a warm, almost intense, personal regard." "Sevier not only possessed great popularity; he deserved it. The basis of his character was laid in sincerity, in truth, and in honor. He was loved, because he had a loving heart. The gentle word, the quick sympathy, the open hand, the high purpose, the dauntless courage, the impetuosity, the win-

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ning suavity, were the wings and the turrets and the battlements of a magnificent and harmonious structure. The most beautiful trait of Sevier's character was the exquisite sweetness of his disposition."

All this agrees perfectly with Mr. Gilmore's estimate of Sevier, and a like agreement is observable between Mr. Phelan's view of Shelby and Robertson and Mr. Gilmore's admiration of those remarkable characters. Indeed, so closely do these two authors agree in their facts, and harmonize in their opinions, that a cursory reader might be tempted to conclude that the first two hundred and fifty pages of Mr. Phelan's book were a mere rewriting of Mr. Gilmore's previous volume. But this supposition is disproved by the evidence of personal investigation which nearly every one of Mr. Phelan's pages gives. "In the mouth of two or three witnesses," it has been said, "every word may be established"; and here we have the testimony of two independent and reliable witnesses to the fact that the country has had heroes and statesmen of eminent ability of whom it has known nothing. We are bound to accept such testimony, and we are glad to welcome these new heroes to our National Walhalla, and to concede the fact that the noble "Volunteer State" did not begin her glorious career with the Creek War or the battle of New Orleans.

S. FORSYTHE.

III.

HOW ARTEMUS WARD BECAME A LECTURER.

ARTEMUS WARD was undoubtedly the greatest humorist America has yet produced. He was genial and companionable, but not a great conversationalist, nor did he scatter the scintillations of his wit and humor broadcast, but, on the contrary, was modest and reticent in company, and only once in a while set the table in a roar with some dry joke, at which he never laughed himself. In fact, Artemus could not make an off-hand speech at all, and even the simplest of responses had to be written out and committed to memory.

It may be interesting to know how the great humorist came to take to the lecture platform, when, before his great success in that line, he had confined himself exclusively to the pen; and, as I had a finger in the pie, I will relate it. About thirty years ago there was a paper published in this city by several brothers named Stephens, called *Vanity Fair*, having for contributors such men as Thackeray, Fitz-James O'Brien, George Arnold, Henry Stanley, and, in fact, all the literary talent of the country, with editors such as Charles G. Leland, Henry Clapp, and Frank Wood; and yet it was plain that the public did not want it, and it was about to give up the ghost, when the publishers consulted me as to what they should do. My advice was to get an editor who was well known for his comic proclivities, and advertise him as connected with the paper, and I declared that there were only two men in the whole country who filled the bill—John G. Saxe and Artemus Ward, whose real name I did not then know. I knew that Saxe could not be had, as he was a candidate for Governor of Vermont; therefore the publishers empowered me to correspond with Artemus and offer him $30 per week and travelling expenses to come to New York as the new editor. The response was immediate acceptance, and $25 and two weeks' salary were forwarded,—he afterward told me the offer was a godsend, as he was getting but $10 a week on the Cleveland *Plaindealer*, as a reporter,—and in a few days Browne arrived in New York and assumed the chair. The paper languished on for a few months, and then went the way of all funny papers.

One day, when this had happened, I was walking up Broadway and regretting the result, for I had become very much attached to Browne. He was talking about going back to Cleveland and resuming his old position, when I suggested to him that he try lecturing. At this he laughed, declaring himself totally unfit, not being able to speak in public at all, and having no subject. I insisted, and gave him, as a subject, "Ghosts," New York at the time being very much exercised over a foolish humbug got up in the newspapers and called "The Twenty-seventh-Street Ghost." Before we parted, Artemus had promised to write such a lecture and to meet a knot of literary and artist friends the next evening at Pfaff's, on Broadway, near Bleecker

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Street, a noted restaurant and resort of Bohemians, and read what he had written. He came with about half his effort, and for three-quarters of an hour the party was, literally, in a roar. He called it "A Lecture About Ghosts," and no small part of the fun was that there was not a word about ghosts in it. The next day he finished it, and then the question was to bring it out. I knew an actor, and sometimes manager, by the name of De Walden, then part of the old Wallack company, who had some money, and I managed to get him interested. He took Niblo's saloon, now the dining-room of the Metropolitan Hotel, for one night, with the privilege of six. The first night, with the help of the press, who were all friends of Artemus, was a triumph, and he ran the week, clearing for himself and his manager $4,200. From that time his lecturing was a grand success, and, while Artemus was more than liberal, he saved money, or, rather, he made it so fast that he could not help its accumulating in his hands. He died worth almost a hundred thousand dollars, of which he left the income to his aged mother, and, after her death, to found an asylum for old and disabled printers, to which craft he originally belonged.

J. W. WATSON.

IV.

INTERVIEWING AS A FACTOR IN JOURNALISM.

I SUPPOSE it has fallen to the lot of every American newspaper man whom pleasure or business has taken to England within the past dozen years, either to hear discussed or to take part in a discussion concerning the possibility of starting and carrying through to success in London a newspaper conducted according to American methods. Such a venture, indeed, has lately been set on foot by the proprietor of a New York paper, and no little curiosity as to the outcome is expressed in journalistic circles. For my own part, however, I have seldom heard what seems to me a correct view of the situation expressed even by men of far more than my own knowledge and experience.

It never seems to have occurred to them that in America news is far more easily collected, inasmuch as, outside the newspaper offices and their staffs, a vast army of helpers exists in the shape of the public itself. The foundation, as it were, of all news in this country is the interview ; our people are one and all, from the rich merchant and professional man down to the humble inhabitant of Avenue A, ready and willing to be interviewed at any time and on any pretext. For the benefit of those unlearned in newspaper routine, let me point out the usual fashion in which a piece of news, police or otherwise, is " written up."

First, we will suppose a bare announcement of some fact, important in its way, arrives at the desk of the city editor from police headquarters or other official source. "A dead body has been found at such or such an address"; or a simple death notice: "At such or such a number Fifth Avenue, John Brown, of heart disease, aged seventy-nine." Reporters are at once sent out with the slip containing this news, and with a few words of instruction from the city editor. They proceed to interview in every direction. Friends, relatives, neighbors, officials of every degree, are quickly put through brief cross-examinations. Seldom is the least difficulty experienced by a reporter of tact in getting civil answers to his leading questions, and these answers form the skeleton of his "story." The interviews are not quoted; probably the names of the persons interviewed are never mentioned; for the account is put in purely narrative form. It is, then, these unquoted interviews which are the real news, as we see them recast and condensed in the columns of the daily papers.

In England other methods prevail. Men of the upper classes, in particular, would resent as impertinence the visit to their private houses of newspaper reporters at all times and seasons; the lower classes would suspiciously refuse to answer when questioned, unless by the authorities. In New York it often falls to the lot of a reporter to ring vigorously the bell of a stately mansion and rouse up the master of the house, who, in his *robe de chambre*, half sleepily, but wholly civilly, gives such information as lies in his power. Across the Atlantic, imagination fails to conceive the reporter s probable reception under similar circumstances.

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This, then, I take it, is the chief obstacle in the way of the bold man who has started a paper in England, if he endeavors to gather his news in the prevalent American fashion. As to the relative values of the two systems of news-gathering—the English, which trusts simply to official sources, and gives the bare facts in all unimportant cases, and the American, which is based on the principle that under the most apparently commonplace statement may lurk a world of interesting detail, only to be learned by close questioning of all concerned—I shall offer no opinion. I can only say that it seems to me to be a question of news or no news, with the odds in favor of the former.

HORACE TOWNSEND.

V.

TURKISH FREETHINKERS.

THE progress of free thought is not altogether confined to the lands of the North-Caucasian nations. In the cities of Japan, the name of a Buddhist zealot has become a by-word, as odious as "Jesuit" in its latter-day significance, and the private creed of educated Turks is generally a vague theism, strongly tinged with agnosticism. In the bookstores of Constantinople, skepticism in its most pronounced types forms the staple of conversation. The Padisha himself (like Mohammed the Second and the Caliph Al Motadi) is well known to be a rationalist; and a correspondent of the *Pesther Lloyd* describes a soirée at the residence of a Syrian pacha who entertained his guests with anecdotes à la Mary Montagu, quizzing the ulemas and the superstitions of the orthodox peasantry. *Meshdân*—literally an epileptic, a person gaining influence by pretended fits of religious ecstacy—is a sort of freemasonry term which an investigator found to apply to no less a personage than the Prophet himself, and which metropolitan Moslems often use with a chuckling irreverence that would delight the soul of Colonel Ingersoll. "If Mufti Meshdân had revealed the secret of breech-loading six-shooters, instead of his ordinance of six daily prayers," remarked the impious Syrian, "we could still smoke our pipes on the ramparts of Buda, and probably on the Alcazar of Toledo."

A. L. FRANCIS.

VI.

GEOGRAPHICAL DELUSIONS.

THERE is a story of a Spanish artist who decorated the church of his native town with a fresco, depicting the "Siege of Jerusalem," and exhibiting the camp of a Roman army with a battery of heavy siege-guns. That anachronism, however, is matched by the blunder of numerous modern painters, who insist on representing the landscapes of biblical and classic geography with long ranges of treeless mountain-chains; for there is no doubt that up to the beginning of our chronological era the coast-lands of the Mediterranean were covered with magnificent forests. The writings of the ancient classics abound with allusions to the "sylvan solitudes of Arcadia," the "wild beasts of the Numidian forests," the "shaggy woods of Mount Ætna," and the "wood-covered slopes of the Apulian highlands" (the southern Apennines). The Bible speaks of the woods of Bashan and Lebanon, of sacred groves in the land of the Canaanitish idolaters; and even southern Syria teemed with cities and hamlets that can have supported their inhabitants only on a basis of abundant vegetation. The Hebrew synonym of "desert," indeed, means a "wilderness," rather than a sand-waste; and in western Asia and northern Africa, vast territories, now as void of life as the lava-fields of the moon, were once as fertile as the garden-lands of our southern Alleghanies.

The author of "Exile Life in Siberia" has exploded an idea that Asiatic Russia is nothing but a snow-covered steppe; but the "Dying Continent," too, deserves a better opinion. According to the estimates of Professor Bassières, of the Belgian exploring party, Western Africa, south of Lake Tschad, still contains more than a million square miles of almost continuous forests, not to mention the park-like hill-country

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of the Orange River and Upper Zambesi, and the vast highland forests of the Atlas range. Nor would it be correct to suppose that climatic considerations would prevent the Mormons from transferring their New Jerusalem to the land of Ham. A few years ago, I met an amateur naturalist who had pursued his zoölogical studies in four different continents, and greatly regretted the reckless pot-hunts that threaten to make North America the least happy hunting-ground of the habitable globe.

"What part of the world would you prefer for a permanent residence?" I inquired.

"Paris, of course," was the good American reply.

"Yes, but outside of heaven?—from a standpoint of physical geography, I mean."

"Well, for sporting purposes, Ceylon is hard to beat," said my cosmopolitan friend, "but the climate of Southern Africa would turn the scales. On Lake Nyassa and in the Western Transvaal, I have seen a hundred successive days of sunshine that could not be matched by the October weather of Southern Switzerland. Even the so-called 'rainy season' up there is dryer than our Indian summer. Our northern winter would horrify a native of that country, as sewer water would disgust a fellow used to the best freestone mountain springs."

FELIX L. OSWALD.

VII.

COUNT TOLSTOÏ AND HIS CRITICS.

ONE cannot but contrast the half-patronizing tone of those church dignitaries who venture comment on the precept and example of Count Tolstoï, with the tone of former churchmen toward the truth-tellers and truth-actors of their time. It is a question, however, whether the current praise, mingled with mild disparagement, of such, would not change to cries of "crucify him," were there any danger of the world adopting Tolstoï's practice. So many modern chief priests and scribes would be in danger of losing their office that it is doubtful if human nature would be any less vindictive than in the days of Annas and Caiaphas.

Wherein lies the strength of this Russian enthusiast? Not so much in his proclaiming of human brotherhood,—that proclamation may be heard anywhere on the first day of every week,—but in that obliteration of self which, if human brotherhood be a desirable consummation, is the only way to bring it about. Tolstoï's strength is the strength of self-renunciation, that supreme quality which every one is ready to praise, and no one to imitate.

From earliest times, the main line of division between social classes has been the nature of one's employment. Those conditions of employment which most gratify human pride are esteemed the most honorable; those which most mortify human pride are esteemed the least honorable, which last always fall to the weak, the ignorant, and the necessitous. Every one who can, avoids these so-called menial or servile employments. It is because of the struggle to accomplish this that man's inhumanity to man never ends. We may feed the hungry, clothe the naked, shelter the homeless, minister to the sick, and teach the ignorant ones, in all sympathy; yet as long as we, at the same time, persist in shifting upon them those employments which, as Homer says, take half away the soul, they feel we are not wholly sincere, nor can there be any permanent bond of sympathy between them and us. Human brotherhood is impossible so long as pride reserves to itself anything of that distinction which is based upon difference in employment.

It is this age-long barrier that Tolstoï would break down, by having every one naturally perform a share of those offices which are considered common or unclean, he himself setting the example. The world feels his reproach, but it will not imitate him. Political and social reformers have always recognized the injurious effects, in one way or another, of certain conditions of occupation; but where the old thinkers relegated all such occupations to slaves, the modern thinkers, like Tolstoï, can only make them incumbent, to the extent of his need, upon every individual,—a requirement which the world would go back to slavery before it would accept.

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